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JOURNAL  
(Proceedings)  
OF THE  
COMMON COUNCIL  
OF THE  
CITY OF INDIANAPOLIS, INDIANA

FROM

January 1, 1926 to December 31, 1926

Printed and Published Under the Authority of the  
Common Council of the City of Indianapolis

9

BOYNTON J. MOORE, President.

WALTER R. DORSETT, President Pro Tem.

WILLIAM A. BOYCE, Jr., Clerk.

MARGARET J. RAY, Secy. of Committees.

EDWARD WISE, Sergeant-at-Arms.



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# CITY OFFICIALS

Mayor ----- JOHN L. DUVALL  
 Secretary to Mayor ----- PEARL NICHOLS  
 City Clerk ----- WILLIAM A. BOYCE, Jr.  
 Deputy City Clerk ----- MARGARET J. RAY

## DEPARTMENT OF FINANCE

City Controller ----- WILLIAM C. BUSER  
 Deputy City Controller ----- CLAUDE M. WILSON  
 Barrett Law Bookkeeper ----- ORVILLE R. SCOTT  
 Deputy Auditor School Board ----- ARTHUR C. THOMAS

## DEPARTMENT OF LAW

Corporation Counsel ----- ALVAH J. RUCKER  
 City Attorney ----- JOHN K. RUCKELSHAUS  
 Assistant City Attorney ----- DONALD F. ROBERTS  
 Municipal Court Deputy ----- ARTHUR M. DINSMORE  
 Claim Agent ----- W. W. HYDE  
 Attorney for Park Board ----- TELFORD B. ORBISON  
 Attorney for Health Board ----- CHARLES MENDENHALL  
 Attorney for City Plan Commission ----- J. CLYDE HOFFMAN  
 Attorney for Sanitary Board ----- JOSEPH J. DANIELS  
 Attorney for Recreation Department ----- WM. T. QUILLEN

## DEPARTMENT OF CITY CIVIL ENGINEER

City Civil Engineer ----- CHESTER C. OBERLEAS  
 Assistant City Engineer ----- ARTHUR F. HAUFLEER  
 Street Department Head ----- M. G. JOHNSON  
 Clerical Department Head ----- FRANK J. MILHOLLAND  
 Sewer Department Head ----- CHAS. P. CULLEY  
 Flood Prevention Department Head ----- HARVEY CASSADY  
 Inspectors Department Head ----- ALBERT J. MIDDLETON  
 Asphalt Plant Head ----- ED ROCHET  
 Chemical Laboratory Head ----- C. H. UNDERWOOD  
 Street Lighting Department Head ----- JAS. W. HENSLEY  
 Drafting Department Head ----- FRANK P. JOYCE  
 Track Elevation Engineer ----- M. N. BEEBEE

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## CITY MARKET

Market Master ----- EARL S. GARRETT  
 Assistant Market Master ----- CHARLIE LOHMAN

---

## POLICE DEPARTMENT

Chief of Police ----- CLAUDE F. JOHNSON  
 Chief of Detectives ----- CLAUDE WORLEY  
 Major of Police ----- LEWIS L. JOHNSON  
 Captain of Traffic ----- LESTER E. JONES  
 Secretary ----- JOHN E. AMBUHL

---

## FIRE DEPARTMENT

Chief ----- JESSE A. HUTSELL  
 First Assistant Chief ----- ERNEST G. HINCHMAN  
 First Assistant Chief ----- ROY C. PHILLIPS  
 Secretary ----- HERBERT R. WALD

---

## PURCHASING DEPARTMENT

Purchasing Agent ----- JOHN J. COLLINS  
 Assistant Purchasing Agent ----- THURMAN A. WASHBURN  
 Chief Clerk ----- WILLIAM K. PENROD  
 Inspector ----- JACK SARGENT

---

## BUILDING DEPARTMENT

Commissioner of Buildings ----- BERT J. WESTOVER  
 Assistant Building Commissioner ----- W. A. OSBON

# MEMBERS OF OFFICIAL BOARDS

---

## BOARD OF PUBLIC WORKS

President ----- ROY C. SHANEBERGER  
L. H. TROTTER  
OREN S. HACK  
Clerk ----- WAYNE EMMELMANN

---

## BOARD OF PUBLIC SAFETY

Chairman ----- O. D. HASKETT  
JOHN A. GEORGE  
JOHN W. FRIDAY  
Executive Secretary ----- CLAUDE C. McCOY

---

## DEPARTMENT OF PUBLIC HEALTH AND CHARITIES

President ----- DR. FREDERICK E. JACKSON  
Vice-President ----- DR. ARTHUR E. GUEDEL  
Commissioner ----- DR. GOETHE LINK  
Commissioner ----- SOL SCHLOSS  
Secretary ----- DR. HERMAN G. MORGAN  
Chief Clerk ----- C. TOM JOHNSON  
Superintendent City Hospital ----- DR. CLEON NAFE

---

## DEPARTMENT OF PUBLIC PARKS

President ----- JOHN E. MILNOR  
Commissioner ----- FRANK DRIVER  
Commissioner ----- MARY E. HOSS  
Commissioner ----- ADOLPH G. EMHARDT  
Superintendent ----- R. WALTER JARVIS  
Assistant Superintendent ----- GEORGE E. MORGAN  
Director of Recreation ----- JESSE P. McCLURE  
Landscape Architect ----- A. W. BRAYTON  
Engineer ----- JAMES E. PERRY  
Secretary ----- CLARENCE MYERS  
Chief Clerk ----- CHARLES M. DAVIDSON  
Auditor ----- CORA E. HARTMAN

---

## STREET DEPARTMENT

Street Commissioner ----- GEORGE WOODWARD

---

## STREET CLEANING DEPARTMENT

Inspector ----- JOHN B. SAUTER

---

## MUNICIPAL GARAGE

Superintendent ----- WM. J. HAMILTON  
Assistant Superintendent ----- E. RAY SEIBERT



## ASSESSMENT BUREAU

Chief Clerk ----- O. R. SCOTT  
-----

## PUBLIC BUILDINGS DEPARTMENT

Custodian ----- J. H. ABERNATHY  
Police Station ----- GEORGE COX  
-----

## DEPARTMENT OF WEIGHTS AND MEASURES

Chief Inspector ----- MAUDE C. HOBSON  
Deputy Inspector ----- FLOYD NEWHOUSE  
Deputy Inspector ----- CLARENCE STEWART  
Deputy Inspector ----- ROY E. SPILLMAN  
Deputy Inspector ----- JOHN E. BROWN  
Deputy Inspector ----- ROBERT H. HATHAWAY  
-----

## CITY PLAN COMMISSION

President ----- GUSTAV G. SCHMIDT  
-----R. C. SHANEBERGER  
C. E. OBERLEAS  
AUSTIN H. TODD  
J. W. ATHERTON  
MRS. LELIA E. TAYLOR  
L. J. BORINSTEIN  
FRANK DRIVER  
H. R. CAMPBELL  
TOM DILLONEngineer ----- MACKLIN MACK  
Assistant Engineer ----- J. RAY MONAGHAN  
Secretary ----- MARIE VICTOR  
-----

## BOARD OF ZONING APPEALS

President ----- JAMES E. ROCAP  
-----JACOB WOLF  
FRANK DRIVER  
FRED A. EVELAND  
R. C. SHANEBERGER

Engineer ----- MACKLIN MACK

# MEMBERS OF THE COMMON COUNCIL

---

## OFFICERS OF THE COMMON COUNCIL

President	BOYNTON J. MOORE
President Pro Tem.	WALTER R. DORSETT
Clerk	WILLIAM A. BOYCE, JR.
Secretary of Committees	MARGARET J. RAY
Sergeant-at-Arms	EDWARD WISE

---

## COUNCILMEN-AT-LARGE

First District	WALTER R. DORSETT
Second District	CLAUDE E. NEGLEY
Second District	ROBERT E. SPRINGSTEEN
Third District	EDWARD B. RAUB
Third District	O. RAY ALBERTSON
Fourth District	MILLARD W. FERGUSON
Fourth District	AUSTIN H. TODD
Fifth District	OTIS E. BARTHOLOMEW
Sixth District	BOYNTON J. MOORE

Term of Office—From the first Monday in January, 1926, to the first Monday in January, 1930.

# STANDING COMMITTEES

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## FINANCE COMMITTEE

Messrs. Albertson, Dorsett, Negley, Todd and Bartholomew.

## PUBLIC WORKS COMMITTEE

Messrs. Dorsett, Albertson, Bartholomew, Todd and Negley.

## PUBLIC SAFETY COMMITTEE

Messrs. Negley, Bartholomew, Todd, Dorsett and Ferguson.

## PUBLIC HEALTH AND CHARITIES COMMITTEE

Messrs. Todd, Bartholomew, Negley, Raub and Springsteen.

## PARK COMMITTEE

Messrs. Bartholomew, Dorsett, Todd, Negley and Albertson.

## LAW AND JUDICIARY COMMITTEE

Messrs. Todd, Bartholomew, Negley, Springsteen and Raub.

## CITY WELFARE COMMITTEE

Messrs. Bartholomew, Todd, Negley, Springsteen and Raub.

## ATHLETIC COMMISSION

Messrs. Dorsett, Todd, Albertson, Ferguson, Raub, Negley and Bartholomew.



# Calendar of Sessions of the Common Council

		Page
1. January 4, 1926	Special	1
2. January 4, 1926	Regular	5
3. January 11, 1926	Special	9
4. January 18, 1926	Regular	17
5. February 1, 1926	Regular	25
6. February 8, 1926	Special	33
7. February 15, 1926	Regular	41
8. March 1, 1926	Regular	49
9. March 4, 1926	Special	57
10. March 15, 1926	Regular	69
11. April 5, 1926	Regular	81
12. April 19, 1926	Regular	97
13. May 3, 1926	Regular	109
14. May 6, 1926	Special	121
15. May 17, 1926	Regular	121
16. May 28, 1926	Special	161
17. May 29, 1926	Special	169
18. June 7, 1926	Regular	173
19. June 21, 1926	Regular	185
20. July 6, 1926	Regular	197
21. July 19, 1926	Regular	229
22. August 2, 1926	Regular	245
23. August 4, 1926	Special	253
24. August 7, 1926	Special	255
25. August 16, 1926	Regular	261
26. August 18, 1926	Special	277
27. August 19, 1926	Special	281
28. August 24, 1926	Special	299
29. August 26, 1926	Special	305
30. September 4, 1926	Regular	319
31. September 20, 1926	Regular	351
32. October 4, 1926	Regular	363
33. October 25, 1926	Regular	375
34. November 4, 1926	Regular	387
35. November 15, 1926	Regular	407
36. November 22, 1926	Special	427
37. December 6, 1926	Regular	447
38. December 13, 1926	Special	491
39. December 13, 1926	Special	493
40. December 20, 1926	Regular	515
41. December 27, 1926	Special	533
42. December 30, 1926	Special	541
Number of Regular meetings		24
Number of Special meetings		18

Total number of meetings of the Common Council in 1926.. 42



## GENERAL ORDINANCES, 1926

Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Nature	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor	Remarks
5	1	Jan. 4	Dr. Todd	Attorney for Common Council	Finance	Jan. 11, 1926			Stricken from files Jan. 11.
10	2	Jan. 11	City Controller	Temporary Loan—Board of Health	Finance	Jan. 18, 1926	Feb. 1, 1926	Feb. 2, 1926	
12	3	Jan. 11	City Controller	Temporary Loan—(\$600,000) City Cont. for Cur. Revenues	Finance	Jan. 11, 1926	Jan. 11, 1926	Jan. 12, 1926	Rules Suspended Amended
14	4	Jan. 11	Bartholomew	Police Force — Amend General Ordinance No. 121 1925	Public Safety	Jan. 18, 1926	Jan. 18, 1926	Jan. 19, 1926	
19	5	Jan. 18	City Controller	Transfer of Funds — Dept. of Public Safety	Finance	Feb. 8, 1926	Feb. 8, 1926	Feb. 9, 1926	
20	6	Jan. 18	City Controller	Transfer of Funds — Dept. of Public Safety	Public Safety	Feb. 8, 1926	Feb. 8, 1926	Feb. 9, 1926	
20	7	Jan. 18	Mr. Dorsett	Barber Shop—Regulations	Public Health & Charities				Stricken from Files Feb. 15
28	8	Feb. 1	City Controller	Temporary Loan—(\$400,000)	Finance	Feb. 8, 1926	Feb. 8, 1926	Feb. 9, 1926	
29	9	Feb. 1	City Controller	Transfer of Funds — Dept. of Public Works	Public Works	Feb. 8, 1926	Feb. 8, 1926	Feb. 9, 1926	
29	10	Feb. 1	City Controller	Transfer of Funds — Dept. of Public Safety	Public Safety	Feb. 8, 1926	Feb. 8, 1926	Feb. 9, 1926	
30	11	Feb. 1	Dr. Todd	Attorney for Common Council	Law & Judiciary	Feb. 8, 1926	Feb. 15, 1926		Vetoed by Mayor Feb. 24; failed to pass over Mayor's veto Mar. 1 Stricken from files May 3

## GENERAL ORDINANCES, 1926

Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Nature	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor	Remarks
43	12 Feb.	15	Mr. Negley	Fire Force—Amend General Ordinance No. 121, 1925	Public Safety				Stricken from files Mar. 4, 1926
44	13 Feb.	15	Mr. Dorsett	Barber Shop—Regulations	Public Health & Charities	Apr. 19, 1926			Stricken from files May 3 Failed to pass Apr. 19
52	14 Mar.	1	Mr. Dorsett	Traffic—Regulations	Public Safety				Stricken from files Mar. 4
53	15 Mar.	1	Dr. Todd	Segregation of races	City Welfare	Mar. 15, 1926	Mar. 15, 1926	Mar. 23, 1926	
59	16 Mar.	4	City Controller	Amend General Ordinance No. 110, 1925			Mar. 4, 1926	Mar. 6, 1926	Rules suspended
62	17 Mar.	4	City Controller	Amending General Ordinance No. 108, 1925			Mar. 4, 1926	Mar. 6, 1926	Rules suspended
70	18 Mar.	15	City Controller	Permanent Loan (\$210,000.00)	Special	Apr. 5, 1926	Apr. 5, 1926	Apr. 8, 1926	
74	19 Mar.	15	City Controller	Transfer of Funds—Department Public Works	Finance	Apr. 19, 1926	Apr. 19, 1926		Vetoed by Mayor Stricken from files May 3
90	20 Apr.	5	City Plan Com.	Amend. to Zoning Ordinance	City Welfare	Apr. 19, 1926	Apr. 19, 1926	Apr. 20, 1926	
91	21 Apr.	5	City Controller	Transfer of funds—\$500—Finance Dept.	Finance	Apr. 19, 1926	Apr. 19, 1926	Apr. 20, 1926	
91	22 Apr.	5	City Controller	Transfer of funds—\$200—City Clerk Dept.	Finance	Apr. 19, 1926	Apr. 19, 1926	Apr. 20, 1926	
92	23 Apr.	5	City Controller	Transfer of funds — \$5,000—City Eng.	Finance	Apr. 19, 1926	May 3, 1926	May 12, 1926	

## GENERAL ORDINANCES, 1926

## Table of General Ordinances

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Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Nature	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor	Remarks
100	24	Apr. 19	City Controller	Transfer of funds—\$75—Dept. of Law	Finance		May 6 1926	May 12, 1926	
100	25	Apr. 19	Bartholomew	Regulation of Retail Sale of Coal and Coke	City Welfare	May 3, 1926	May 3, 1926	May 12, 1926	Amended
110	26	May 3	Mr. Dorsett	Repeals Sects. 381 and 382 of 1925 Code	Parks	May 6, 1926	May 6 1926		Vetoed by Mayor May 11, stricken from files May 17
111	27	May 3	Bartholomew	Regulating Interurban Traction Trains	Public Safety	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	Amended
111	28	May 3	Mr. Dorsett	Setting License Fee of Junk Dealers—\$1,000	Special				Failed to pass June 21
112	29	May 3	Dr. Todd	Prohibiting Use of Sidewalks for Sale of Merchandise	City Welfare				Stricken from files Sept. 20
122	30	May 6	Bartholomew	Transfer of Funds—\$2,000—Dept. of Public Works	Special	May 17, 1926	May 17, 1926	May 21, 1926	
148	31	May 17	City Controller	Asphalt Plant Personnel	Special	May 28, 1926			Stricken from files May 28
149	32	May 17	City Controller	Barrett Law Interest	Finance	Dec. 30, 1926 June 21, 1926			11 11 repealed
151	33	May 17	Bartholomew	Switch Contract, Link Realty Co.	City Welfare	June 7, 1926	June 7, 1926	June 8, 1926	
155	34	May 17	Dr. Todd	Clifton St., Preferential	Public Safety	June 7, 1926	June 7, 1926	June 8, 1926	
162	35	May 28	Bartholomew	Daylight Saving	City Welfare	May 29, 1926	May 29, 1926		Vetoed by Mayor Stricken from files June 7



## GENERAL ORDINANCES, 1926

Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Nature	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor	Remarks
163	36	May 28	Mr. Dorsett	Abolishing Market Master and Assistant	Public Safety				Stricken from files Sept. 20
164	37	May 28	Mr. Dorsett	Increasing Salary Safety Secretary \$500	Finance				Stricken from files Sept. 20
165	38	May 28	Dr. Todd	Amending Building Code	Law & Judiciary	June 7, 1926	June 21, 1926	June 23, 1926	Amended
174	39	June 7	Bartholomew	Amending G. O. No. 25, 1926	City Welfare		June 21, 1926	June 23, 1926	
178	40	June 7	Mr. Dorsett	Amending Building Code	Law & Judiciary				Stricken from files June 21
179	41	June 7	Mr. Dorsett	Amending G. O. No. 30, 1926	Special	June 21, 1926	June 21, 1926	June 23, 1926	
187	42	June 21	City Controller	Transfer \$1,000 Bd. of Works	Finance	July 6, 1926	July 6, 1926	July 7, 1926	
188	43	June 21	City Controller	Transfer, \$300, Memorial Day	Finance	July 6, 1926	July 6, 1926	July 7, 1926	
188	44	June 21	Mr. Dorsett	Amending Zoning Ordinance	City Welfare	July 19, 1926			Stricken from files July 19
189	45	June 21	Bartholomew	Amending Zoning Ordinance	Special	July 6, 1926	July 6, 1926	July 7, 1926	
190	46	June 21	Mr. Dorsett	Amending Building Code	Public Works	July 6, 1926	July 6, 1926	July 7, 1926	
191	47	June 21	Mr. Ferguson	Amending Sec. 476, Municipal Code	Law & Judiciary	Oct. 25, 1926	Oct. 25, 1926	Oct. 27, 1926	



# GENERAL ORDINANCES, 1926

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Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Nature	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor	Remarks
201	48	July 6	Dr. Todd	Traffic Code	(Raub, Ch.) Special	Dec. 6, 1926			Stricken from files Dec. 6
215	49	July 6	Bartholomew	Regulating City Dumps	City Welfare	July 19, 1926	July 19, 1926	July 24, 1926	Amended
216	50	July 6	Bartholomew	Licensing Dance Halls	Public Safety				Stricken from files Sept. 20
217	51	July 6	City Controller	Temporary Loan—Bd. of Health	Special	Aug. 2, 1926	Aug. 2, 1926	Aug. 3, 1926	Amended
219	52	July 6	City Controller	Transfer—\$2500—Police Dept.	Finance	Aug. 2, 1926	Aug. 2, 1926	Aug. 3, 1926	
220	53	July 6	City Controller	Dog Pound License Fee	Public Works				Stricken from files Aug. 16
232	54	July 19	City Controller	\$700,000 Temporary Loan	Special	Aug. 7, 1926	Aug. 7, 1926	Aug. 9, 1926	Amended
233	55	July 19	City Controller	Transfer—\$500—Board of Public Works	Finance	Aug. 2, 1926	Aug. 2, 1926	Aug. 3, 1926	
234	56	July 19	City Controller	Bond Issue — \$11,000 — Bear Creek Bridge	Finance	Aug. 2, 1926	Sept. 20, 1926	Sept. 28, 1926	
239	57	July 19	Mr. Dorsett	Amening Zoning Ordinance	Public Works	Aug. 2, 1926	Aug. 2, 1926	Aug. 3, 1926	
239	58	July 19	Bartholomew	Installation Safety Gates — Union Railway Co.	Public Safety	Dec. 20, 1926	Dec. 20, 1926	Dec. 22, 1926	
249	59	Aug. 2	City Controller	Transfer \$50, City Controller's Office	Finance	Aug. 4, 1926	Aug. 4, 1926	Aug. 5, 1926	
249	60	Aug. 2	City Controller	Transfer \$10,000, St. Comm. Dept., Board of Public Works	Special	Aug. 4, 1926	Aug. 4, 1926	Aug. 5, 1926	

## GENERAL ORDINANCES, 1926

Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Nature	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor	Remarks
266	61 Aug.	16	City Controller	\$350,000 Temporary Loan	(Fer., Ch.) Special	Sept. 4, 1926	Sept. 4, 1926	Sept. 6, 1926	
267	62 Aug.	16	Mr. Dorsett	Amending Zoning Ordinance (College and 46th)	City Welfare	Sept. 4, 1926	Sept. 4, 1926	Sept. 6, 1926	
268	63 Aug.	16	Mr. Dorsett	Amending Zoning Ordinance (Delaware and 25th)	City Welfare	Oct. 4, 1926	Oct. 4, 1926	Oct. 13, 1926	Amended
295	64 Aug.	19	Mayor	Tax Levy for 1927	(Dors., Ch.) Special	Sept. 3, 1926	Sept. 4, 1926	Sept. 6, 1926	Amended
327	65 Sept.	4	City Controller	Transfer of Funds—Fire Dept. —\$3,000	Finance	Sept. 20, 1926	Sept. 20, 1926	Sept. 23, 1926	
328	66 Sept.	4	City Controller	Transfer of Funds—Police Dept. —\$1,000	Finance	Sept. 20, 1926	Sept. 20, 1926	Sept. 23, 1926	
328	67 Sept.	4	City Controller	Transfer of Funds—Gamewell Division—\$782.25	Finance	Sept. 20, 1926	Sept. 20, 1926	Sept. 23, 1926	
329	68 Sept.	4	City Controller	Transfer of Funds — Building Dept.—\$250	Finance	Sept. 20, 1926	Sept. 20, 1926	Sept. 23, 1926	
329	69 Sept.	4	City Controller	Transfer of Funds—Fire Prevention—\$266.70	Finance	Sept. 20, 1926	Sept. 20, 1926	Sept. 23, 1926	
330	70 Sept.	4	City Controller	Transfer of Funds—City Eng. Dept.—\$500	Finance	Sept. 20, 1926	Sept. 20, 1926	Sept. 23, 1926	
330	71 Sept.	4	City Controller	Transfer of Funds—Municipal Garage	Finance	Sept. 20, 1926	Sept. 20, 1926	Sept. 23, 1926	
331	72 Sept.	4	City Controller	Transfer of Funds—Municipal Garage	Finance	Sept. 20, 1926	Sept. 20, 1926	Sept. 23, 1926	
353	73 Sept.	20	Mr. Raub	Switch Contract, Mill. St.	Law & Judiciary	Oct. 25, 1926	Oct. 25, 1926	Oct. 26, 1926	

# GENERAL ORDINANCES, 1926

## Table of General Ordinances

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Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Nature	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor	Remarks
356	74	Sept. 20	Board of Safety	Free Distribution of Dogs from Dog Pound	City Welfare		Dec. 20, 1926	Dec. 22, 1926	
157	75	Sept. 20	Mr. Dorsett	Traffic — Parking on Delaware, Alabama and Wabash	(Raub, Ch.) Special				Stricken from files Oct. 25
358	76	Sept. 20	Mr. Dorsett	Renaming 16th Street	Law & Judiciary	Oct. 4, 1926	Oct. 4, 1926	Oct. 13, 1926	
367	77	Oct. 4	City Controller	Transfer of Funds—\$2,000—Finance Dept.	(Fer., Ch.) Special	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
368	78	Oct. 4	City Controller	Transfer of Funds—\$50—Purchasing Dept.	Finance	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
368	79	Oct. 4	City Controller	Transfer of Funds—\$1300—Garage	(Fer., Ch.) Special	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
369	80	Oct. 4	Bartholomew	Amending, Sec. 377 — Curfew, Municipal Code		Oct. 4, 1926	Oct. 4, 1926	Oct. 13, 1926	Rules Suspended
369	81	Oct. 4	Board of Works	Switch Contract—M. A. Nowlin Feed Co.	Public Works	Oct. 25, 1926	Oct. 25, 1926	Oct. 26, 1926	
379	82	Oct. 25	Dr. Todd	Amending Building Code—Penalty Clause	Public Safety	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
380	83	Oct. 25	City Controller	Transfer of Funds—\$35—Dept. City Clerk	(Fer., Ch.) Special	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
380	84	Oct. 25	City Controller	Transfers—St. Comm. Dept.	(Fer., Ch.) Special	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
382	85	Oct. 25	City Controller	Transfer War Memorial Fund Balance	Finance	Dec. 30, 1926			

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## GENERAL ORDINANCES, 1926

Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Nature	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor	Remarks
333	86 Oct.	25	Albertson	Amending Zoning Ordinance—46th and Central	Law & Judiciary	Nov. 4, 1926			Failed to pass Nov. 4
333	87 Oct.	25	Ferguson	Amending Zoning Ordinance	(Dors., Ch.) Special				Postponed indefinitely Dec. 6
331	88 Nov.	4	City Controller	Transfer of Funds—City Cont. Dept to Legal Dept.	(Fer., Ch.) Special	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
332	89 Nov.	4	City Controller	Transfer—\$4,000—Police Dept.	(Dors., Ch.) Special	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	Amended
332	90 Nov.	4	City Controller	Transfer—\$298—Dept. of Public Safety	Finance	Dec. 6, 1926	Dec. 6, 1926	Dec. 6, 1926	
333	91 Nov.	4	City Controller	Transfer of Funds—\$16,000—Finance Dept.	(Fer., Ch.) Special	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
333	92 Nov.	4	City Controller	Transfer of Funds — Dept. of Public Safety	Finance	Dec. 6, 1926	Dec. 6, 1926	Dec. 6, 1926	
334	93 Nov.	4	City Controller	Bond Issue—\$1,600,000 — War Mem. Bonds	Finance	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	Amended
401	94 Nov.	4	City Controller	Bond Issue—\$105,000 Police and Fire Equipment	(Fer., Ch.) Special	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	Amended
409	95 Nov.	15	City Controller	Transfer for Board of Works	Finance	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
410	96 Nov.	15	Park Board	Authorizing sale of 18 horses—Park Board	Finance	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
411	97 Nov.	15	Bldg. Comm.	Amending Building Code—Elec. Inspection Fees	City Welfare	Dec. 20, 1926	Dec. 20, 1926	Dec. 22, 1926	
412	98 Nov.	15	Mr. Dorsett	Safety Rules for Window Washers	Public Safety	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	



# GENERAL ORDINANCES, 1926

Table of General Ordinances

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Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Nature	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor	Remarks
413	99	Nov. 15	Mr. Dorsett	Amending Municipal Code	Public Safety	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
413	100	Nov. 15	City Controller	Bond Issue—\$250,000	(Fer., Ch.) Special	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	Amended
416	101	Nov. 15	City Plan Com.	Amending Zoning Ordinance—46th and College	Public Works	Dec. 30, 1926	Dec. 21, 1927 ✓ 79-1527	Dec. 21, 1927 ✓ 85-1427	Stricken from files Dec. 20
417	102	Nov. 15	Bartholomew	Amending Gen. Ord. 121	City Welfare	Dec. 20, 1926			
419	103	Nov. 15	Albertson	Prohibit Billboards	Parks				
420	104	Nov. 15	Mr. Dorsett	Amending Zoning Ordinance—Delaware and 25th	Public Works	Dec. 30, 1926			
421	105	Nov. 15	Mr. Dorsett	Amending Gen. Ord. 121, 1925—Taxicab Meters	Public Works	Nov. 22, 1926	Nov. 22, 1926	Nov. 24, 1926	
455	106	Dec. 6	City Plan Com.	Amending Zoning Ordinance	City Welfare				
460	107	Dec. 6	Bldg. Comm.	Amending Gen. Ord. No. 46, 1926	Law & Judiciary	Dec. 30, 1926	Dec. 30, 1926	Dec. 31, 1926	
460	108	Dec. 6	City Controller	Authorizing \$60,000 Bond Issue—College Ave. Bridge	Finance	Dec. 13, 1926	Dec. 13, 1926	Dec. 14, 1926	
465	109	Dec. 6	City Controller	Transfer of Funds—\$150—City Clerk	(Fer., Ch.) Special		Dec. 6, 1926	Dec. 9, 1926	Rules Suspended
466	110	Dec. 6	City Controller	Transfer of Funds—\$90—Dog Pound	Finance		Dec. 6, 1926	Dec. 9, 1926	Rules Suspended
466	111	Dec. 6	City Controller	Transfer of Funds—\$500—Police Dept.	(Fer., Ch.) Special	Dec. 20, 1926	Dec. 20, 1926	Dec. 22, 1926	

X Returned to issuing Com. March 1-1927 to 132-1927.

Table of General Ordinances

GENERAL ORDINANCES, 1926

Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Nature	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor	Remarks
467	112	Dec. 6	City Controller	Transfer of Funds—\$200—City Compt.	Finance		Dec. 6, 1926	Dec. 9, 1926	Rules Suspended
467	113	Dec. 6	City Controller	Transfer of Funds — \$1800—City Plan	Finance		Dec. 6, 1926	Dec. 9, 1926	Rules Suspended
468	114	Dec. 6	City Controller	Transfer of Funds—\$50—Mayor's Office	Finance		Dec. 6, 1926	Dec. 9, 1926	Rules Suspended
468	115	Dec. 6	City Controller	Transfer of Funds — \$950—Board of Works	(Fer., Ch.) Special		Dec. 6, 1926	Dec. 9, 1926	Rules Suspended
497	116	Dec. 13	City Controller	Transfer of Funds—\$8,000—Assessment Bureau	Finance		Dec. 13, 1926	Dec. 14, 1926	Rules Suspended
497	117	Dec. 13	City Controller	Transfer of Funds—\$237.08—City Eng. Dept.	Finance		Dec. 20, 1926	Dec. 22, 1926	
498	118	Dec. 13	Mr. Dorsett	Traffic Code	City Welfare	Dec. 20, 1926	Dec. 20, 1926		Mayor's action sustained Jan. 3 Amended, vetoed by Mayor Dec 27
519	119	Dec. 20	Park Board	Authorizing Sale of Real Estate	Parks				
521	120	Dec. 20	Mr. Negley	Transfer—\$25,000 to Merger Fund	Public Works	Dec. 27, 1926			
524	121	Dec. 20	Mr. Dorsett	Appropriating \$15,000 to Legal Dept.	Finance	Dec. 27, 1926	Dec. 30, 1926		
525	122	Dec. 20	Mr. Dorsett	Flagmen—C. L. & L. Tracks and 46th, 63rd and 64th Sts.	Public Safety	Dec. 30, 1926	Dec. 30, 1926	Dec. 31, 1926	
536	123	Dec. 27	City Controller	Transfer of Funds—\$675—Municipal Garage	Finance	Dec. 30, 1926	Dec. 30, 1926	Dec. 31, 1926	Amended
536	124	Dec. 27	City Controller	Transfer \$250 — City Plan Commission	Finance	Dec. 30, 1926	Dec. 30, 1926	Dec. 31, 1926	



## RESOLUTIONS, 1926

Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Account of	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor
22	1	Jan. 18	Bartholomew	Investigation of Condition of Pleasant Run	Parks	July 6, 1926	Feb. 1, 1926	Feb. 2
74	2	Mar. 15	Mr. Raub	Investigation of Barrett Law Fund	Law & Judiciary	Apr. 5, 1926	Apr. 19, 1926	
92	3	Apr. 5	Mr. Dorsett	Gasoline Tax Fund	Public Works	Apr. 19, 1926		Stricken from files May 3
112	4	May 3	Mr. Raub	Gasoline Tax			May 3, 1926	May 12
180	5	June 7	Albertson and Bartholomew	Investigate Park Board Activities	Special			Stricken from files June 21
181	6	June 7	Mr. Dorsett	Investigate City Plan Commission	Law & Judiciary			Stricken from files July 6
182	7	June 7	Mr. Dorsett	Gasoline Tax Fund	Public Works			Stricken from files Aug. 7
192	8	June 21	Mr. Dorsett	Legal Title of Canal	Law & Judiciary			Stricken from files Sept. 20
221	9	July 6	Mr. Negley	Re: Street Car Strike			July 19, 1926	July 24
222	10	July 6	Bartholomew	Gasoline Tax Fund	Public Works			Stricken from files Oct. 25
257	11	Aug. 7	Bartholomew	Gasoline Tax Fund	Special	Aug. 7, 1926	Aug. 7, 1926	Aug. 9
371	12	Oct. 4	Mr. Dorsett	Investigation, Statements of Wm. Sd.			Oct. 4, 1926	Oct. 13

## RESOLUTIONS, 1926

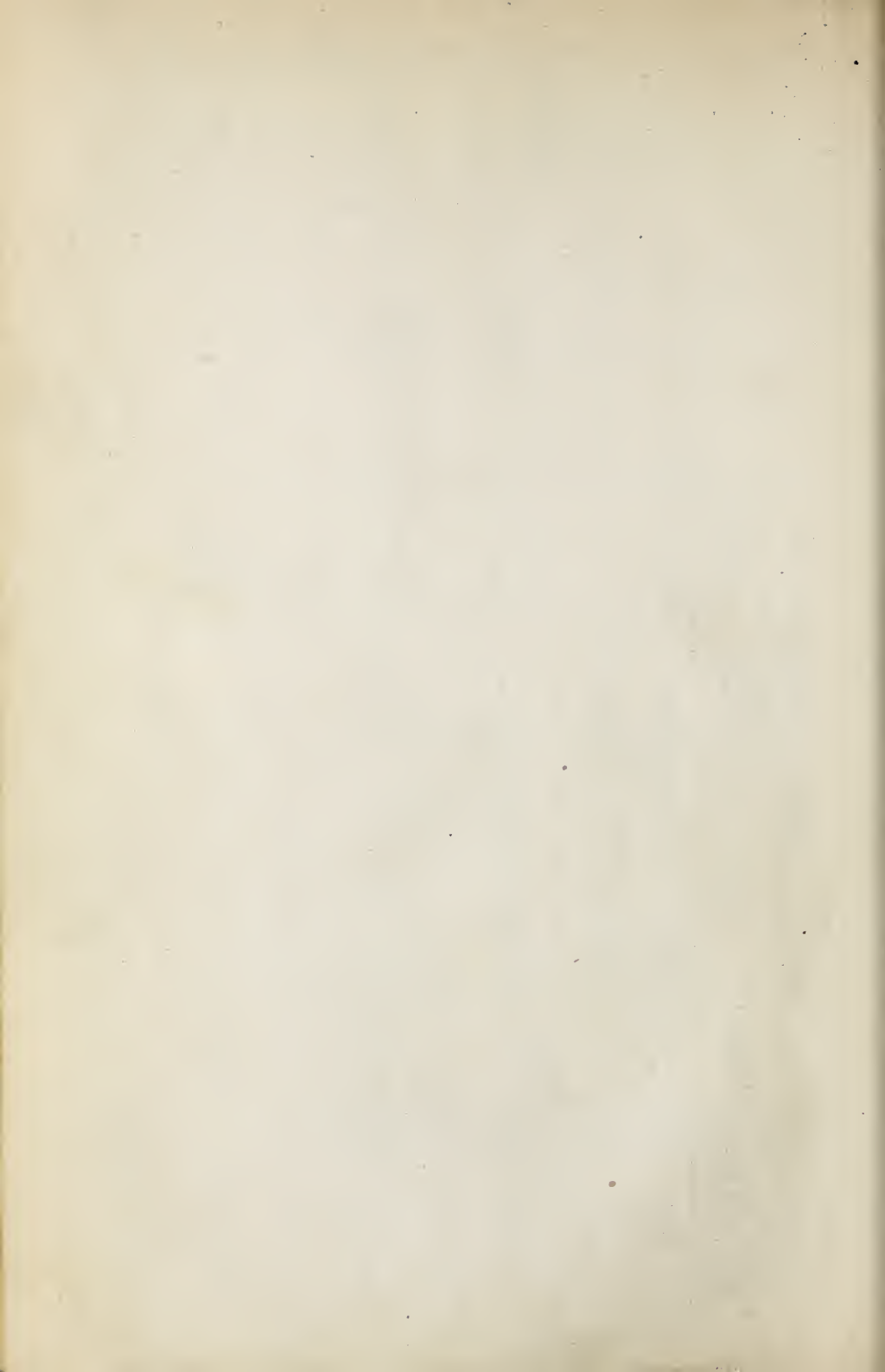
Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Account of	Referred to Committee on—	Committee Reported	Passed	Approved by Mayor
428	13	Nov. 13	Mr. Dorsett	Heat and Light Merger		Dec. 30, 1926		
470	14	Dec. 6	Mr. Dorsett	Belt Railway Tracks	Public Works	Dec. 20, 1926	Dec. 20, 1926	Dec. 22
526	15	Dec. 20	Bartholomew	Fairbanks-Morse Ground	Law & Judiciary	Dec. 30, 1926		Stricken from files Dec. 30

## APPROPRIATION ORDINANCES, 1926

Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Account of	Referred to Committee on—	Committee Reported	Amount	Approved by Mayor
262	1	Aug. 16	Bartholomew	Dept. Public Works—Bridge Repairs	Aug. 16, 1926	Aug. 19, 1926	27,981.60	Rules Suspended
263	2	Aug. 16	Bartholomew	Dept. Public Works—Street Repairs	Aug. 16, 1926	Aug. 19, 1926	80,525.00	Rules Suspended
232	3	Aug. 19	Mayor	Budget for 1927	Sept. 4, 1926	Sept. 6, 1926	\$4,200,519.25	Amended
305	4	Aug. 26	Bartholomew	Dept. Public Works—Gasoline Tax Appropriation	Sept. 20, 1926	Sept. 23, 1926	80,525.00	
308	5	Aug. 26	Bartholomew	Dept. Public Works—Gasoline Tax Appropriation	Sept. 20, 1926	Sept. 23, 1926		

## SPECIAL ORDINANCES, 1926

Page	Ord. Number	Introduced and Read First Time	By Whom Introduced	Nature	Referred to Committee on----	Committee Reported	Passed	Approved by Mayor	Remarks
31	1	Feb.	Park Board	Authorizing Sale of Real Estate	Parks	Mar. 1, 1926			Stricken from files May 3
54	2	Mar.	City Engineer	Annexation of Pleasant Run Golf Course	Public Works				Failed to pass Mar. 1
269	3	Aug.	Bartholomew	Annexation of Speedway City	Law & Judiciary				Stricken from files May 28
331	4	Sept.	Park Board	Sale of Real Estate—Lot. No. 24, Highlands, Marion	Finance	Sept. 20, 1926	Sept. 20, 1926	Sept. 28, 1926	Stricken from files Oct. 25
422	5	Nov.	Bartholomew	Annexation of Beech Grove	City Welfare				
468	6	Dec.	Park Board	Authorizing Sale of 3 Houses	Parks	Dec. 20, 1926	Dec. 20, 1926	Dec. 22, 1926	
469	7	Dec.	Board of Works	Authorizing Sale of Junk	Public Works	Dec. 20, 1926	Dec. 20, 1926	Dec. 22, 1926	Amended



# JOURNAL OF PROCEEDINGS

OF THE

## Common Council

OF THE

### City of Indianapolis

IN MARION COUNTY, IN THE STATE OF INDIANA

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#### SPECIAL MEETING

Monday, January 4, 1926.

The Common Council of the City of Indianapolis met in the Council Chamber, January 4, 1926, at 12:00 Noon, City Clerk William A. Boyce, Jr., in the chair, pursuant to the following call:

*To the Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen:

Pursuant to the law governing the organization of a new Common Council this letter will serve to notify you officially that I will call the newly elected Common Council to order in the Council Chamber of the City Hall at twelve o'clock noon, Monday, January 4, 1926, for the purpose of electing presiding officers for the year 1926.

Respectfully,  
WILLIAM A. BOYCE, JR.,  
City Clerk.

William A. Boyce, Jr., City Clerk, called the Council to order pursuant to the above call and assigned the nine Councilmen to their sets.

The clerk called the roll:

Present: Boynton J. Moore, Walter R. Dorsett, Claude E. Negley, O. Ray Albertson, Dr. Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen, Edward B. Raub and Millard W. Ferguson.

Mr. Boyce called on Rev. Bernard W. Bass for a brief invocation.

Mr. Boyce announced the first business in order to be the election of a presiding officer for the year 1926.

Whereupon Councilman Otis E. Bartholomew placed in nomination Councilman Boynton J. Moore which nomination was seconded by Councilman Austin H. Todd.

Councilman Claude E. Negley moved that the nominations be closed which was seconded by Councilman O. Ray Albertson. Carried.

Councilman Walter R. Dorsett moved that the clerk be instructed to vote the nine votes of the Council for Councilman Boynton J. Moore for President for 1926 which was seconded by Councilman O. Ray Albertson. Carried.

Mr. Boyce then declared Councilman Boynton J. Moore elected President of the Common Council of the City of Indianapolis for the year 1926 and appointed Councilman Negley and Ferguson to escort President Boynton J. Moore to the chair.

Mr. Boyce presented President Boynton J. Moore with a mahogany gavel, the gift of First Assistant Fire Chief Roy Phillips.

President Boynton J. Moore accepted the gavel and addressed the members of the Council, thanking them for their confidence placed in him by electing him President of the Council.



President Boynton J. Moore announced that the next business in order to be the election of a President Pro Tem.

Councilman Austin H. Todd placed in nomination Councilman Walter R. Dorsett which was seconded by Councilman O. Ray Albertson.

Councilman Claude E. Negley moved that the nominations be closed which was seconded by Councilman Otis E. Bartholomew. Carried.

Councilman O. Ray Albertson moved that the clerk be instructed to vote the nine votes of the Council for Councilman Walter R. Dorsett for President Pro Tem for the year 1926 which was seconded by Councilman Otis E. Bartholomew. Carried.

President Boynton J. Moore announced the next order of business to be the selection of rules to govern the Council.

Councilman O. Ray Albertson moved that the 1925 rules of the preceding Council be adopted to govern the new Council for the year 1926 which was seconded by Councilman Austin H. Todd. Carried.

President Boynton J. Moore then announced the next order of business to be the appointment of Council Committees. The appointments announced by President Boynton J. Moore were as follows:

#### FINANCE COMMITTEE

O. Ray Albertson, Chairman; Walter R. Dorsett, Claude E. Negley, Dr. Austin H. Todd, Otis E. Bartholomew.

#### PUBLIC WORKS COMMITTEE

Walter R. Dorsett, Chairman; O. Ray Albertson, Otis E. Bartholomew, Dr. Austin H. Todd, Claude E. Negley.

#### PUBLIC SAFETY COMMITTEE

Claude E. Negley, Chairman; Otis E. Bartholomew, Dr. Austin H. Todd, Walter R. Dorsett, Millard W. Ferguson.

## PUBLIC HEALTH AND CHARITIES

Dr. Austin H. Todd, Chairman; Otis E. Bartholomew, Claude E. Negley, Edward B. Raub, Robert E. Springsteen.

## PARK COMMITTEE

Otis E. Bartholomew, Chairman; Walter R. Dorsett, Dr. Austin H. Todd, Claude E. Negley, O. Ray Albertson.

## LAW AND JUDICIARY COMMITTEE

Dr. Austin H. Todd, Chairman; Otis E. Bartholomew, Claude E. Negley, Robert E. Springsteen, Edward B. Raub.

## ELECTIONS COMMITTEE

Claude E. Negley, Chairman; Otis E. Bartholomew, O. Ray Albertson, Dr. Austin H. Todd, Millard W. Ferguson.

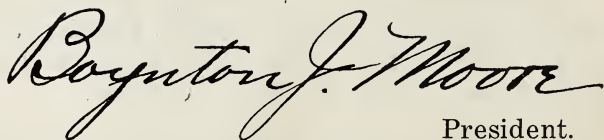
## CITY WELFARE COMMITTEE

Otis E. Bartholomew, Chairman; Dr. Austin H. Todd, Claude E. Negley, Robert E. Springsteen, Edward B. Raub.

## ATHLETIC COMMISSION

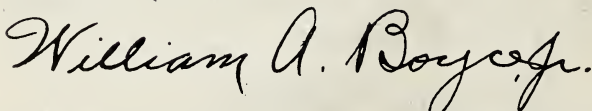
Walter R. Dorsett, Chairman; Dr. Austin H. Todd, O. Ray Albertson, Millard W. Ferguson, Edward B. Raub, Claude E. Negley, Otis E. Bartholomew.

On motion of Councilman Walter R. Dorsett, seconded by Councilman Otis E. Bartholomew, the Common Council, at 12:40 p. m., January 4, 1926, adjourned.



President.

Attest:



City Clerk.

## REGULAR MEETING

Monday, January 4, 1926, 7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, January 4, 1926, at 7:30 p. m. in regular session, President Boynton J. Moore in the chair.

The clerk called the roll:

Present: Hon. Boynton J. Moore, President; Walter R. Dorsett, Claude E. Negley, O. Ray Albertson, Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen, Edward B. Raub, Millard W. Ferguson.

Judge Charles J. Orbison secured permission from President Boynton J. Moore to take the floor of the Council at this time. The Judge, in a very able and patriotic address, presented to the Council, in the name of the Knights of the Ku Klux Klan of Marion County, a silk American flag which was accepted by President Boynton J. Moore in behalf of the Common Council. President Boynton J. Moore requested Judge Orbison to be seated at the speakers' stand as the guest of the Council for the evening.

President Boynton J. Moore directed the clerk to read the minutes of the previous special meeting but on motion of Councilman Otis E. Bartholomew, seconded by Councilman Walter R. Dorsett, it was moved that the reading of the minutes be dispensed with.

## INTRODUCTION OF GENERAL ORDINANCES

By Councilman Austin H. Todd:

AN ORDINANCE authorizing and creating the position of the Common Council, defining his duties, fixing the salary thereof, and designating a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and is hereby authorized and created the position of Attorney of the Common Council of the City of Indianapolis, same to be filed by election of the Common Council.

Section 2. The Attorney of the Common Council shall act as attorney, legal adviser and counsellor to the Common Council or any

member thereof, in all official and public matters brought to his attention by the Common Council or any member thereof.

Section 3. That the salary of the Attorney of the Common Council of Indianapolis be and is hereby fixed at three thousand dollars (\$3,000.00) per annum.

Section 4. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time.

Councilman Walter R. Dorsett moved that the rules be suspended to consider the passage of General Ordinance No. 1 which was seconded by Councilman Claude E. Negley.

The clerk called the roll and the motion was lost, there being eight ayes and one no, the latter by Councilman Edward B. Raub.

President Boynton J. Moore then referred General Ordinance No. 1 to the Committee on Finance.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS

Councilman Walter R. Dorsett nominated Miss Margaret J. Ray for Secretary of the Council Committees which was seconded by Councilman Otis E. Bartholomew.

Councilman Claude E. Negley moved to close the nominations which was seconded by Councilman O. Ray Albertson. Carried.

President Boynton J. Moore then put Miss Ray's nomination to an aye and no vote. Carried.

Councilman Otis E. Bartholomew then nominated Councilman Austin H. Todd for appointment by the Council to the City Planning Commission which was seconded by Councilman Walter R. Dorsett.

Councilman Claude E. Negley moved that the nominations be closed which was seconded by Councilman O. Ray Albertson. Carried.

President Boynton J. Moore then put the nomination of Councilman Austin H. Todd to an aye and no vote. Carried.

President Boynton J. Moore then opened the Council for a few remarks from the Councilmen, who each made a few general remarks.

On motion of Councilman Walter R. Dorsett, seconded by Councilman Claude E. Negley, the Common Council, at 8:45 p. m., adjourned.

*Boynton J. Moore*  
President.

Attest:

*William A. Boyce, Jr.*  
City Clerk.





## SPECIAL MEETING

Monday, January 11, 1926, 7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber, January 11, 1926, at 7:30 p. m. in special session, President Boynton J. Moore in the chair, pursuant to the following call:

January 9, 1926.

*To the Members of the Common Council, Indianapolis, Ind.:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Monday, January 11, 1926, at 7:30 p. m.

The purpose of such meeting being to receive communications from the Mayor or City Controller of said City and of considering General Ordinance No. 1, and any matters pertaining thereto and to consider an amendment to General Ordinance No. 121 (1925.)

Respectfully,

BOYNTON J. MOORE.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WILLIAM A. BOYCE, JR.,

City Clerk.

Which was read.

The Clerk called the roll.

Present: The Honorable Boynton J. Moore, President, and seven members, viz.: Walter R. Dorsett, Claude E. Negley, O. Ray Albertson, Dr. Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen and Edward B. Raub.

Absent: Millard W. Ferguson.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, the reading of the minutes of the previous meeting was dispensed with.

## COMMUNICATION FROM THE MAYOR

January 11, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—The present condition of the City's finances makes it necessary for the City to borrow at least \$600,000, as set out in the ordinance prepared by the City Controller, and which is submitted for your consideration.

This amount will go into the general fund to meet the City Weekly and Semi-Monthly pay roll as well as other necessary bills now due or about to become due within the period for which authority is requested of your body to make the loan.

As this is one of the most important matters now confronting this administration, your favorable consideration will be appreciated.

Very truly yours,  
JOHN L. DUVALL,  
Mayor of Indianapolis.

#### COMMUNICATIONS FROM CITY OFFICERS

January 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith copies of an Ordinance calling for a Temporary Loan or Loans of One Hundred and Fifty Thousand Dollars (\$150,000.00), for use of the Board of Health, and recommend the passage of same.

Yours very truly,  
WM. C. BUSER,  
City Controller.  
January 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I submit you herewith an Ordinance, asking for authority to make a Temporary Loan of Six Hundred Thousand Dollars (\$600,000), for the General Fund of the City of Indianapolis and recommend its passage.

Yours very truly,  
WM. C. BUSER,  
City Controller.

#### INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

##### GENERAL ORDINANCE NO. 2, 1926.

AN ORDINANCE authorizing the City of Indianapolis to make a Temporary Loan or Loans for the use of the Board of Health of the City of Indianapolis, Indiana, in anticipation of its current revenues and payable out of the current revenues of said Board of Health for the year 1926, authorizing the rate of interest to be charged therefor, providing for legal notice and fixing a time when the same shall take effect.

WHEREAS, the Board of Health on the first day of February, 1926, will be and continue to be until the first day of July, 1926, without sufficient funds to pay its salary payroll and other current expenses for Board of Health purposes, and

WHEREAS, the said current expenses and said payrolls for said period will amount to approximately Two Hundred Thousand (\$200,000.00) Dollars, and

WHEREAS, the first semi-annual installment of taxes levied by the City of Indianapolis for general Board of Health purposes for the year 1925, and collectible on or before the 15th day of May, 1926, will amount to more than Two Hundred Seventy-five Thousand (\$275,000.00) Dollars.

NOW THEREFORE, Be It Resolved, by the Board of Health of the City of Indianapolis, Indiana, that an ordinance be prepared and presented to the Common Council of Indianapolis, Indiana, for the passage for the making of a Temporary Loan or Loans by the City of Indianapolis, for the total sum of One Hundred and Fifty Thousand (\$150,000.00) Dollars, for the use of said Board of Health for said purposes, at a rate of interest not to exceed six (6%) percent. per annum, and for a period not exceeding five (5) months from the date of such Temporary Loan or Loans to be made in anticipation of the current revenues of the said Board of Health and collectible in the year 1926, and

BE IT FURTHER RESOLVED, by said Board of Health, that there be and hereby is appropriated out of the current revenues of said Board of Health for the year 1926, for the purpose of paying said Loan or Loans and interest thereon as the same may become due, the sum of One Hundred Fifty-three Thousand Seven Hundred Fifty (\$153,750.00) Dollars.

*Now Therefore, Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller be and is hereby authorized and empowered to negotiate a Temporary Loan or Loans for the use of the Board of Health of the City of Indianapolis, Indiana, in anticipation of current revenues of said Board of Health for the year 1926, said Loan or Loans to be made for the total sum not to exceed One Hundred and Fifty Thousand (\$150,000.00) Dollars, and payable out of the current revenues of said Board at a rate of interest not to exceed six (6%) per cent. per annum and for and during a period not exceeding five (5) months from the date thereof.

After the publication of the herein determination to issue such temporary loan or loans, and as provided in Section 2 of this ordinance, said loan shall be let to the lowest bidder at competitive bidding on the annual rate of interest under conditions prescribed in notice of the same which shall be published for at least one day in at least one daily newspaper of general circulation of said city. The Mayor and City Controller are hereby authorized and directed to execute the proper obligations of said city for the amount or amounts so borrowed, which shall also be countersigned by the president of the Board of Health and to the payment of said obligations the faith of the City of Indianapolis is hereby irrevocably pledged.

Section 2. The Mayor, City Controller and Corporation Counsel are hereby authorized and directed to publish notice of the determination herein made, to issue the bonds or other evidence of indebtedness for such temporary loan or loans as required by law.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Controller:

GENERAL ORDINANCE NO. 3, 1926.

AN ORDINANCE authorizing the City Controller to make a Temporary Loan or Loans of Six Hundred Thousand (\$600,000) Dollars, in anticipation of current revenues, appropriating the sum of Six Hundred Twelve Thousand (\$612,000) Dollars, for the payment of same and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller be and is hereby authorized and empowered to negotiate a temporary loan or loans in anticipation of the current revenues of said city actually levied and in course of collection for the fiscal year 1926, not exceeding a total sum of Six Hundred Thousand (\$600,000) Dollars, for a period not exceeding five (5) months, at a rate of interest not exceeding six (6%) per cent. per annum. The City Controller is further authorized and empowered to negotiate such loan or loans, in such amounts and at such times as the City Controller may deem necessary provided that no part of such loan or loans shall be made to extend beyond the period hereinbefore mentioned. After the publication of the notice of the determination herein made to issue bonds or other evidence of indebtedness for such temporary loan or loans, and as provided in this ordinance, said loan or loans shall be let to the lowest bidder at competitive bidding on the annual rate of interest under conditions prescribed in notice of the same, which shall be published for at least one day in at least one daily paper of said city. The Mayor and City Controller are hereby authorized and directed to execute the proper obligations of the City of Indianapolis for the amount so borrowed, and to the payment of such obligations, the faith of the city is hereby irrevocably pledged.

Section 2. The Mayor, City Controller and Corporation Counsel are hereby authorized and directed to publish notice of the determination herein made to issue the bonds or other evidence of indebtedness for such temporary loan or loans, as required by law.

Section 3. That there be and is hereby appropriated out of the current revenues for the fiscal year 1926, to the Department of Finance, the sum of Six Hundred and Twelve Thousand (\$612,000) Dollars, and the same is hereby pledged for the purpose of the payment of said loan or loans, at such times as the same shall become due.

Section 4. This ordinance shall be in full force and effect from and after its passage.

Which was read a second time and referred to the Committee of Finance.

On motion of Mr. Dorsett, seconded by Dr. Todd, the Council recessed for ten minutes to enable the Finance



Committee to bring in a report on General Ordinance No. 3.

Recess: 7:55 p. m.

Clerk called the roll at 8:05, end of Recess.

Present: President Boynton J. Moore and eight members, viz.: Messrs. Dorsett, Negley, Albertson, Todd, Bartholomew, Springsteen, Raub and Ferguson.

Mr. Bartholomew moved that the rules be suspended to consider General Ordinance No. 3 and place it upon its passage when amended. Seconded by Mr. Negley.

The roll was called and the rules were suspended by unanimous consent of all nine members of the Council. (Mr. Albertson changed his original vote of "no" to aye.)

Mr. Albertson, as chairman of the Finance Committee, made the following report on General Ordinance No. 3.

Indianapolis, Ind., January 11, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 3, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed, under suspension of the rules, when amended to reduce the same to Two Hundred Thousand (\$200,000) Dollars.

O. RAY ALBERTSON, Chairman.  
CLAUDE E. NEGLEY  
AUSTIN H. TODD  
OTIS E. BARTHOLOMEW  
WALTER R. DORSETT.

Dr. Todd called for General Ordinance No. 3 for second reading. It was read a second time in full.

Mr. Negley handed the Clerk the following written motion which was read:

Indianapolis, Ind., January 11, 1926.

Mr. President—I move that General Ordinance No. 3, 1926, be amended by striking out the figures \$600,000 and \$612,000 wherever they appear in said Ordinance, and inserting in lieu thereof the figures \$200,000 and \$205,000 respectively.

CLAUDE E. NEGLEY,  
Councilman.



The above motion was seconded by Mr. Dorsett and carried.

Mr. Dorsett moved that General Ordinance No. 3, 1926, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 3, 1926, was read a third time by the Clerk and passed by the following vote:

Ayes, 9, viz.: Messrs. Dorsett, Negley, Albertson, Todd, Bartholomew, Springsteen, Raub, Ferguson and President Boynton J. Moore.

#### REPORTS FROM COMMITTEES.

Mr. Albertson, Chairman of the Finance Committee, submitted the following written report on General Ordinance No. 1, 1926:

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Your Committee on Finance, to whom was referred General Ordinance No. 1, beg leave to report that we have given the same due and careful consideration and we would recommend that the same be not passed in the form as it has been prepared.

O. RAY ALBERTSON, Chairman

WALTER R. DORSETT

O. E. BARTHOLOMEW

A. H. TODD

C. E. NEGLEY.

On motion of Mr. Raub, seconded by Mr. Springsteen, General Ordinance No. 1 was ordered stricken from the files.

#### INTRODUCTION OF GENERAL ORDINANCES.

By Mr. Bartholomew:

##### GENERAL ORDINANCE NO. 4, 1926.

AN ORDINANCE to amend Sub-section N, entitled Police Force Under Department of Public Safety, of Section 608 entitled Designation of Officers and employees, of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and with stated exceptions repealing all former ordinances:

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Sub-section N, entitled Police force under Department of Public Safety, of Section 608 entitled Designation of Officers and employees, of General Ordinance No. 121, 1925, be amended by striking out of said subsection N, entitled Police force under Department of Public Safety, of Section 608 entitled Designation of Officers and employees, of General Ordinance No. 121, 1925, the following figures and words: "4. Supervisor." And by renumbering the various positions under sub-section N, entitled Police force to conform to the striking out of said position of supervisor.

Section 2. That the office of supervisor of the police force of the city of Indianapolis, Indiana, under the Department of Public Safety is hereby abolished.

Section 3. That said sub-section N, entitled Police force under Department of Public Safety, of Section 608, entitled Designation of Officers and employees, of General Ordinance No. 121, so as Department of Public Safety of Section 608, entitled Designation of Officers and employees, of General Ordinance No. 121, 1925, shall be amended to read as follows:

(n) Police Force under Department of Public Safety.

1. Chief of Police.
2. Inspector of Police.
3. Inspector of Traffic.
4. Five Captains.
5. Ten Lieutenants.
6. Twenty-five Sergeants.
7. Fifty Detectives.
8. Seventy Traffic Policemen.
9. Eleven Motorcycle Policemen.
10. Forty-one Motor Policemen.
11. Three Turnkeys.
12. Eleven Wagonmen.
13. Two hundred and fifty-five Second-Year Policemen.
14. Seven First-Year Policemen.
15. Court Bailiff.
16. Probation Officer.
17. Woman Sergeant.
18. Twenty-one Second-Year Police Women.
19. One First-Year Police Woman.
20. Secretary.
21. Two Repairmen.
22. Hostler.
23. Seven Janitors.

Section 4. This ordinance shall be in full force and effect from and after its passage.

On motion of Dr. Todd the Common Council, at 8:35 o'clock p. m., adjourned.

*Baynton J. Moore*

President.

Attest:

*William A. Boyce Jr.*

City Clerk.

## REGULAR MEETING

Monday, January 18, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, January 11, 1926, at 7:30 p. m. in special session, President Boynton J. Moore in the chair, pursuant to the following call:

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, January 18, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll:

Present: Hon. Boynton J. Moore, President, and seven members, viz.: Walter R. Dorsett, Claude E. Negley, O. Ray Albertson, Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen and Millard W. Ferguson.

Absent: Edward B. Raub.

On motion of Mr. Dorsett, seconded by Mr. Bartholomew, the reading of the journal was dispensed with.

## COMMUNICATIONS FROM THE MAYOR

January 12, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved, signed and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 3, entitled "An Ordinance, authorizing the City Controller to make a Temporary Loan or Loans of two hundred thousand (\$200,000) dollars, in anticipation of current revenues, appropriating the sum of two hundred five thousand (\$205,000) dollars, for the payment of same and fixing a time when the same shall take effect."

Yours very truly,

J. L. DUVALL.

## COMMUNICATIONS FOR CITY OFFICERS

January 16, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

I hand you herewith a communication from the Board of Public Safety asking for the passage of an ordinance transferring the sum of One Hundred and Fifty (\$150.00) Dollars from Fund No. 44, under the Department of Public Safety, Electrical Unit, to Fund

No. 26, in the Department of Public Safety, Administration Unit.  
I respectfully recommend the passage of this ordinance.

Yours truly,

WM. C. BUSER,  
City Controller.

January 16, 1926.

*To Mr. William C. Buser, City Controller:*

I am directed by the Board of Public Safety to submit for your approval and transmission to the Common Council an ordinance transferring the sum of One Hundred and Fifty (\$150.00) Dollars from Fund No. 44, under the Department of Public Safety, Electrical Unit, to Fund No. 26, in the Department of Public Safety, Administration Unit.

Respectfully submitted,  
BOARD OF PUBLIC SAFETY,  
By CLAUDE C. McCOY,  
Executive Secretary.

January 16, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I hand you herewith a communication from the Board of Public Safety, asking for the passage of an ordinance transferring the sum of Five Hundred (\$500.00) Dollars from Fund No. 44, under the Department of Public Safety, Electrical Unit, to Fund No. 36, in the Department of Public Safety, Administration Unit.

A respectfully recommend the passage of this ordinance.

Yours truly,

WM. C. BUSER,  
City Controller.

January 16, 1926.

*To Mr. William C. Buser, City Controller of Indianapolis, Indiana:*

Dear Sir—I am directed by the Board of Public Safety to submit for your approval and transmission to the Common Council, an ordinance transferring the sum of Five Hundred (\$500.00) Dollars from Fund No. 44, under the Department of Public Safety, Electrical Unit, to Fund No. 36, in the Department of Public Safety, Administration Unit.

Respectfully submitted,  
BOARD OF PUBLIC SAFETY,  
By CLAUDE C. McCOY,  
Executive Secretary.

## REPORT FROM COMMITTEES

Indianapolis, Ind., January 18, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 4, 1926, entitled "AN ORDINANCE to amend Sub-section N, entitled Police Force Under Department



of Public Safety, of Section 608 entitled Designation of Officers and employees, of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and the stated exceptions repealing all former ordinances," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

CLAUDE E. NEGLEY, Chairman  
OTIS E. BARTHOLOMEW  
WALTER R. DORSETT  
AUSTIN H. TODD.

Indianapolis, Ind., January 18, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whome was referred General Ordinance No. 2, 1926, entitled "AN ORDINANCE authorizing the City of Indianapolis to make a Temporary Loan or Loans for the use of the Board of Health of the City of Indianapolis, Indiana, in anticipation of its current revenues and payable out of the current revenues of said Board of Health for the year 1926, authorizing the rate of interest to be charged therefor, providing for legal notice and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and we do not recommend its passage at this time.

O. RAY ALBERTSON, Chairman.  
WALTER R. DORSETT  
AUSTIN H. TODD  
OTIS E. BARTHOLOMEW.

#### INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

##### GENERAL ORDINANCE NO. 5, 1926

AN ORDINANCE transferring the sum of Five Hundred (\$500.00) Dollars from the fund in the Department of Public Safety, Electrical Unit, known as Fund No. 44, and reappropriating the same to Fund No. 36, in the Department of Public Safety, Administration Unit, and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Five Hundred (\$500.00) Dollars in the fund known as Fund No. 44 in the Department of Public Safety Electrical Unit be and the same is hereby transferred and reappropriated to the fund known as Fund No. 36 in the Department of Public Safety, Administration Unit.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Controller:

GENERAL ORDINANCE NO. 6, 1926

AN ORDINANCE transferring the sum of One Hundred and Fifty (\$150.00) Dollars from the fund in the Department of Public Safety Electrical Unit known as Fund No. 44 and reappropriating the same to Fund No. 26, in the Department of Public Safety, Administration Unit, and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of One Hundred and Fifty (\$150.00) Dollars under the Department of Public Safety Electrical Unit, be and the same is hereby transferred and reappropriated to Fund No. 26, in the Department of Public Safety, Administration Unit.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Safety.

By Mr. Dorsett:

GENERAL ORDINANCE NO. 7, 1926

AN ORDINANCE regulating the business or calling of conducting a barber shop, barber college or barber school within the City of Indianapolis, and providing a penalty for the violation thereof, and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. It is hereby declared unlawful for any person, firm or corporation to conduct a barber shop, barber college or barber school within the City of Indianapolis without having first received a license so to do from the Board of Health of said city. The proprietor of any such school, shop or college shall first pay to the City Controller a fee of \$3.00 for each barber chair operated in the school or barber college or barber shop and present a receipt for the same to said Board of Health, together with his or her application for a license which said application shall give the name of the proprietor and the location at which he or she expects to operate, and the license issued by such Board shall be issued in the name of the proprietor and designate the location of such shop, school or college with particularity. Any license so issued may be transferred to a different location or assigned to a new proprietor, but in either event such license shall be returned to the Board for cancellation and a new permit issued in lieu thereof without additional fee or charges therefor. All licenses herein provided for shall terminate on the 31st day of December of the year in which same is issued.

Section 2. With a view to cleanliness and sanitary conditions, each barber shop, barber college, or barber school within the city shall be subject to and shall observe the following rules, to-wit:

(a) All shops, schools and colleges herein provided for shall be open for inspection during all business hours by any member of the

Board of Health or the inspectors, who shall be competent barbers of ten years' experience as such, appointed by the Mayor and confirmed by the City Council of said city for such purpose. There shall be two inspectors so appointed and confirmed.

(b) No shop shall be operated in a living room, a dining room or any sleeping apartments.

(c) The floors, walls, furniture and fixtures of each barber shop, barber college or barber school shall be at all times kept thoroughly clean, all jardineres, urns and cuspidors shall be thoroughly cleaned at least once each day. The floor shall be kept clean and free from hair accumulation thereon, and shall be mopped at least once each day.

(d) No shop, school or college shall be conducted or operated in a room or in rooms in which articles for human consumption are kept for sale (except tobacco and articles in sealed containers) unless such shop is partitioned off by a closely fitted partition extending from the floor to the ceiling with a close-fitted door in the entrance thereof. Any barber shop or barber chair conducted or operated in a pool hall shall be partitioned by a closely fitted partition at least six feet in height and extending to the floor, with a close-fitted door therein, if any.

(e) Each barber shop, barber school or barber college shall be furnished with an adequate supply of running hot and cold water and a waste drain connected with the sewer where sewer connection can be had. No person affected with a communicable skin disease, or any person in a state of intoxication, or any person who is an habitual drunkard shall be permitted to operate a barber shop, school or college.

(f) Each cup and brush must be thoroughly cleansed with hot water each time before using.

(g) Fresh, clean towels must be used for each patron, and all towels after they have been used must be cleaned in boiling water before using again. All soaps, perfumes, bay rum, witch-hazel and other toilet articles, and all antiseptic solutions shall be of pure quality and free from adulteration. An antiseptic solution shall be used on each person after shaving.

(h) No barber shall knowingly serve in a barber shop, barber college or barber school, a person in an infectuous stage of the disease of erysipelas, eczema, impetigo, sycosis, tuberculosis or any other highly contagious or infectuous diseases and any person so affected is forbidden to present himself for service in any barber shop, barber school or barber college operating within said city.

(i) A copy of these rules must be kept in a conspicuous place in each barber shop, barber school or barber college operating within said city.

(j) Upon conviction of violation of any of the above rules, the license to operate a shop shall be revoked by said Board, in addition to the penalty that may be imposed by a court of competent jurisdiction, and a new permit shall not be issued to the offender until he or she shall show a willingness and ability to comply with these rules.

Section 3. Each shop shall be inspected at least once each month by the Inspector, appointed and confirmed as herein provided, but any member of said Board of Health may inspect any shop at any time during business hours. The said Inspectors shall each receive \$150.00 per month for the inspection of shops, schools and colleges as aforesaid.

Section 4. All proprietors as aforesaid holding licenses as herein provided shall conspicuously display said licenses in the places where the business is conducted.

Section 5. Any person, firm or corporation found guilty of violating any of the provisions of this ordinance, shall, on conviction thereof, be fined in any sum not less than \$5.00 or more than \$300.00 or imprisoned in the county jail for a period not to exceed ninety days or both.

Section 6. All ordinances in conflict herewith are hereby repealed.

Section 7. This ordinance shall be in full force and effect after its passage and legal publication according to law.

Which was read a first time and referred to the Committee on Public Health and Charities.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS

By Mr. Bartholomew:

#### RESOLUTION NO. 1, 1926

WHEREAS, that part of the City of Indianapolis bordering on the adjacent to Pleasant Run has long suffered from the pollution and stagnation of that stream, and

WHEREAS, the health and happiness of the citizens of that section of the City of Indianapolis have been jeopardized by the unsanitary condition of said stream, and

WHEREAS, the beauty and public usefulness of Garfield Park have been impaired by the neglect of the City of Indianapolis in taking proper measures to eliminate the unsanitary condition of said stream,

*Now Therefore, Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

That the Council Committee on Parks be and is hereby authorized and instructed to investigate the causes and conditions which are responsible for the condition of said stream and report to the Common Council at an early a date as possible measures which the said Committee feels will be necessary to take in order to restore the healthful conditions which should and must exist in said districts of the City of Indianapolis.

Which was read a first time and referred to the Committee on Parks.



## ORDINANCES ON SECOND READING

Mr. Bartholomew called for General Ordinance No. 4 for second reading.

The clerk read General Ordinance No. 4 in full, a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 4 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 4 was read a third time by the clerk and passed by the following vote:

Ayes, 6, viz.: Messrs. Dorsett, Negley, Albertson, Todd, Bartholomew and President Boynton J. Moore.

Noes, 2, viz.: Messrs. Springsteen and Ferguson.

## UNFINISHED BUSINESS

On motion of Dr. Todd, seconded by Mr. Negley, Edward Wise was elected Sergeant of Arms of the Council.

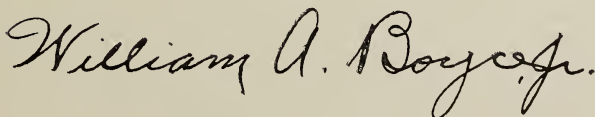
After the Council had adjourned, Messrs. Ferguson and Springsteen requested that their votes on the passage of General Ordinance No. 4 be changed to "Aye," but Section 6 of Rule 8 of the Council Regulations would not permit this to be done after the result of the vote had been announced.

On motion of Mr. Bartholomew the Common Council, at 8:15 o'clock p. m., adjourned.



President.

Attest:



City Clerk.





## REGULAR MEETING

Monday, February 1, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, February 1, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and seven members, viz.: Walter R. Dorsett, Claude E. Negley, O. Ray Albertson, Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen and Millard W. Ferguson.

Absent: Edward B. Raub.

On motion of Mr. Negley, seconded by Mr. Dorsett, the reading of the journal was dispensed with.

## COMMUNICATIONS FROM CITY OFFICERS

February 1, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith copies of an ordinance calling for the authorization to make a temporary loan or loans in the sum of \$400,000.00 in anticipation of a current revenue of the city of Indianapolis and appropriating the sum of \$410,000.00 for the payment thereof.

The City of Indianapolis is now and will continue to be until the first day of April, 1926, without sufficient funds to pay its salary pay roll and other current expenses. The temporary loan of \$400,000.00 is needed to make up the difference between the amount of the anticipated collection of sufficient licenses and fees together with advance payment of taxes and the sum of \$700,000.00 that will be needed to take care of the salary pay roll and other current expenses during said period.

I respectfully recommend the passage of this ordinance.

Respectfully submitted,

WM. C. BUSER,  
City Controller.

January 21, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Kindly find attached hereto copies of an ordinance asking for the transfer of Two Thousand (\$2,000) Dollars, from the Department of Public Works, Public Buildings Unit, known as Fund No. 25, and reappropriating the same to Fund No. 38, in the Department of Public Works, Public Buildings Unit.

I respectfully recommend the passage of this ordinance.

Very truly,

WM. C. BUSER,

City Controller.

January 29, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Attached hereto kindly find copies of an ordinance transferring the sum of \$75.00 from the Department of Public Safety, Weights and Measures Unit, known as Fund No. 72, and reappropriating the same to Fund No. 38, in the same Unit; also transferring the sum of \$25.00 from the Department of Public Safety, Weights and Measures Unit, known as Fund No. 45, and reappropriating the same to Fund No. 36 in the same Unit; also transferring the sum of \$75.00 from the Department of Public Safety, Weights and Measures Unit, known as Fund No. 33, and reappropriating the same to Fund No. 24, in the same Unit.

I respectfully recommend the passage of this ordinance.

Respectfully submitted,

WM. C. BUSER,

City Controller.

January 21, 1926.

*Mr. William C. Buser, City Controller, City of Indianapolis, Indiana.*

Dear Sir—I am directed by the Board of Public Works, to transmit to you the request for a transfer of Two Thousand (\$2,000.00) Dollars, transferring the same from the Department of Public Works, Public Buildings Unit, known as Fund No. 25, and reappropriating the same to Fund No. 38, in the Department of Public Works, Public Buildings Unit.

Kindly transmit this to the Common Council, at the next meeting of that body with recommendation that same be passed.

BOARD OF PUBLIC WORKS,

By WAYNE EMMELMANN,

Executive Secretary.

January 29, 1926.

*Mr. William C. Buser, City Controller, City of Indianapolis, Indiana.*

Dear Sir—I am directed by the Board of Public Safety to sub-

mit for your approval copies of an ordinance transferring the sum of \$75.00 from the Department of Public Safety, Weights and Measures Unit, known as Fund No. 72, and reappropriating the same to Fund No. 38 in the same Unit; also transferring the sum of \$25.00 from the Department of Public Safety, Weights and Measures Unit, known as Fund No. 45, and reappropriating the same to Fund No. 36 in the same Unit; also transferring the sum of \$75.00 from the Department of Public Safety, Weights and Measures Unit, known as Fund No. 33, and reappropriating the same to Fund No. 24 in the same Unit.

Kindly transmit this ordinance to the Common Council with recommendation for passage at the next meeting of that body.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By CLAUDE C. McCOY,  
Executive Secretary.

January 28, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—In compliance with Property Sale Resolution No. 1, 1926, of the Board of Park Commissioners of the Department of Public Parks, of the City of Indianapolis, Indiana, I herewith submit to your honorable body Special Ordinance No. \_\_\_\_\_, 1926, for the sale of certain real estate now a part of the Park and Boulevard system of the City of Indianapolis, which is no longer needed or desired for the use of the Department of Public Parks, for park and boulevard purposes, as follows:

The south half of Lot Twenty-four (24) of Marion Highlands Addition, being 25 feet by 132 feet at the southeast corner of Maple Road and Central Avenue, in the City of Indianapolis, Indiana.

Respectfully submitted,

DEPARTMENT OF PUBLIC PARKS,  
BOARD OF PARK COMMISSIONERS,

By NEWTON J. McGUIRE,  
Attorney.

#### REPORTS FROM COMMITTEES

Indianapolis, Ind., February 1, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 2, 1926, entitled "An Ordinance authorizing the City of Indianapolis to make a Temporary Loan or Loans, for the use of the Board of Health of the City of Indianapolis, Indiana, in anticipation of its current revenues and payable out of the current revenues of said Board of Health for the year 1926, authorizing the rate of interest to be charged therefor, providing for

legal notice and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be now passed by the Common Council.

O. RAY ALBERTSON, Chairman.  
O. E. BARTHOLOMEW,  
WALTER R. DORSETT,  
CLAUDE E. NEGLEY  
AUSTIN H. TODD.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the City Controller:

### GENERAL ORDINANCE NO. 8, 1926.

AN ORDINANCE authorizing the City Controller to make a Temporary Loan or Loans in the sum of Four Hundred Thousand (\$400,000.00) Dollars in anticipation of current revenues appropriating the sum of Four Hundred and Ten Thousand (\$410,000.00) Dollars for the payment thereof and fixing a time when the same shall take effect.

WHEREAS, the City of Indianapolis is now and will continue to be until the first day of April, 1926, without sufficient funds to pay its salary pay roll and other current expenses and,

WHEREAS, the said current expenses and said salary pay rolls for said period will amount to approximately Seven Hundred Thousand (\$700,000.00) Dollars and,

WHEREAS, in anticipation of collection of sufficient licenses and fees together with advance payment of taxes to make up the difference between the Four Hundred Thousand (\$400,000.00) Dollar Temporary Loan and the estimated expense of Seven Hundred Thousand (\$700,000.00) Dollars, Now Therefore

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller be and is hereby authorized and empowered to negotiate a Temporary Loan or Loans in anticipation of the current revenues of said city actually levied and in course of collection for the fiscal year 1926, not exceeding a total sum of Four Hundred Thousand (\$400,000.00) Dollars, for a period not exceeding four (4) months, at a rate of interest not exceeding six per cent per annum. The City Controller is further authorized and empowered to negotiate such loan or loans, in such amounts and at such times as the City Controller may deem necessary provided that no part of such loan or loans, shall be made to extend beyond the period hereinbefore mentioned. After the publication of the notice of the determination herein made to issue bonds or other evidence of indebtedness for such temporary loan or loans and as provided in this ordinance, said loan or loans shall be let to the lowest bidder at competitive bidding on the annual rate of interest under conditions prescribed in notice of the same, which shall be published for at least one day, in at least one daily paper of said city. The Mayor and City Controller are hereby authorized and



directed to execute the proper obligations of the City of Indianapolis for the amount so borrowed, and to the payment of such obligations, the faith of the city is hereby irrevocably pledged.

Section 2. The Mayor, City Controller and Corporation Counsel are hereby authorized and directed to publish notice of the determination herein made to issue the bonds or other evidence of indebtedness for such temporary loan or loans, as required by law.

Section 3. That there be and is hereby appropriated out of the current revenues for the fiscal year 1926, to the Department of Finance, the sum of Four Hundred and Ten Thousand (\$410,000.00) Dollars, and the same is hereby pledged for the purpose of the payment of said loan or loans, at such times as the same shall become due.

Section 4. This ordinance shall be in full force and effect from and after it passage.

Which was read a first time and referred to the Committee on Finance.

By the City Controller:

#### GENERAL ORDINANCE NO. 9, 1926.

AN ORDINANCE, transferring the sum of Two Thousand (\$2,000) Dollars, from the fund in the Department of Public Works, Public Buildings Unit, known as Fund No. 25, and reappropriating the same to Fund No. 38, in the Department of Public Works, Public Buildings Unit, and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Thousand (\$2,000.00) Dollars, in the fund known as Fund No. 25, in the Department of Public Works, Public Buildings Unit, be and the same is hereby transferred and reappropriated to the fund known as Fund No. 38, in the department of Public Works, Public Buildings Unit.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Works.

By the City Controller:

#### GENERAL ORDINANCE NO. 10, 1926.

AN ORDINANCE, transferring the sum of Seventy-five (\$75.00) Dollars, from the fund in the Department of Public Safety, Weights and Measures Unit, known as Fund No. 72, and re-

appropriating the same to Fund No. 38, in the Department of Public Safety, Weights and Measures Unit, and

Transferring the sum of Twenty-five (\$25.00) Dollars from the fund in the Department of Public Safety, Weights and Measures Unit, known as Fund No. 45, and reappropriating the same to Fund No. 36 in the Department of Public Safety, Weights and Measures Unit, and

Transferring the sum of Seventy-five (\$75.00) Dollars from the fund in the Department of Public Safety, Weights and Measures Unit, known as Fund No. 33, and reappropriating the same to Fund No. 24 in the Department of Public Safety, Weights and Measures Unit, and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Seventy-five (\$75.00) Dollars in the fund known as Fund No. 72 in the Department of Public Safety, Weights and Measures Unit, be and the same is hereby transferred and reappropriated to the fund known as Fund No. 38 in the Department of Public Safety, Weights and Measures Unit, and

That the sum of Twenty-five (\$25.00) Dollars in the fund known as Fund No. 45 in the Department of Public Safety, Weights and Measures Unit, be and the same is hereby transferred and reappropriated to the fund known as Fund No. 36 in the Department of Public Safety, Weights and Measures Unit, and

That the sum of Seventy-five (\$75.00) Dollars in the fund known as Fund No. 33 in the Department of Public Safety, Weights and Measures Unit, be and the same is hereby transferred and reappropriated to the fund known as Fund No. 24 in the Department of Public Safety, Weights and Measures Unit.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Safety.

By Dr. Todd:

#### GENERAL ORDINANCE NO. 11, 1926.

AN ORDINANCE authorizing and creating the position of Attorney for the Common Council of the City of Indianapolis, defining his duties, fixing the salary thereof and designating the time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there is hereby created and authorized the position of Attorney for the Common Council of the City of Indianapolis, Indiana, the same to be filled by appointment by the Presi-

dent of the Common Council, said appointment to be ratified by a majority of the members thereof.

Section 2. It shall be the duty of such Attorney to assist in all legal matters pertaining to the supervision and investigations by said City Council of all the departments, officers and employees of the government of the City of Indianapolis, Indiana, and in the examination of any charges preferred against any department, officer or employee of said city or in the examination of the affairs of any corporation, firm or person in which the city may be interested or with which it may have entered into a contract or may be about to enter into a contract.

It shall be the further duty of such attorney to render legal assistance to the Common Council as it shall require in the discharge of its duties with respect to such supervision and investigations or any written charges by such council growing out thereof.

Section 3. The salary of the Attorney for the Common Council of Indianapolis, Indiana, shall be and is hereby fixed at Fifteen Hundred (\$1,500.00) Dollars per annum and he shall give bond with surety in the sum of Five Thousand (\$5,000.00) Dollars, said bond to be approved by the President of the Common Council of the City of Indianapolis.

Section 4. This ordinance shall be in full force and effect from and after its passage.

AUSTIN H. TODD,  
Councilman.

Which was read a first time and referred to the Committee on Law and Judiciary.

By the Board of Park Commissioners:

#### SPECIAL ORDINANCE NO. 1, 1926.

AN ORDINANCE authorizing the sale, alienation and conveyance of real estate by the Board of Park Commissioners of the Department of Public Parks of the City of Indianapolis, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the Board of Park Commissioners is hereby authorized to sell, alienate and convey for cash, at public or private sale, for not less than the appraised value which value is to be hereinafter determined by appraisers appointed by the Judge of the Circuit Court of Marion County, Indiana, as required by law, of the following described real estate in Indianapolis, Marion County, Indiana, to-wit:

The south half of Lot No. (24) Twenty-four, of Marion Highlands, an addition to the City of Indianapolis, Indiana.

That said real estate shall be sold at public or private sale upon such notice or notices, as the Board of Park Commissioners may determine.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on Parks.

#### ORDINANCES ON SECOND READING

Mr. Albertson called for General Ordinance No. 2 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 2 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 2 was read a third time by the Clerk and passed by the following vote:

Ayes, 8, viz.: Messrs. Dorsett, Negley, Albertson, Todd, Bartholomew, Springsteen, Ferguson and President Boynton J. Moore.

Mr. Bartholomew called for Resolution No. 1 for second reading. It was read a second time.

On motion of Mr. Bartholomew Resolution No. 1, 1926, was adopted by the following vote:

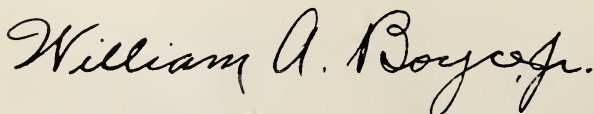
Ayes, 8, viz.: Messrs. Dorsett, Negley, Albertson, Todd, Bartholomew, Springsteen, Ferguson and President Boynton J. Moore.

On motion of Mr. Bartholomew the Common Council at 7:50 o'clock p. m., adjourned.



President.

Attest:



City Clerk.



## SPECIAL MEETING

Monday, February 8, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, February 8, 1926, at 7:30 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Monday evening, February 8, 1926, at 7:30 o'clock p. m.

The purpose of such meeting being to receive communications from the Mayor or City Controller of said City and for the consideration of General Ordinances Nos. 5, 6, 8, 9, 10 and 11.

Respectfully,

BOYNTON J. MOORE.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WILLIAM A. BOYCE, Jr.,  
City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and seven members, viz.: Walter R. Dorsett, Claude E. Negley, O. Ray Albertson, Dr. Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen and Edward B. Raub.

Absent: Millard W. Ferguson.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Mr. Dorsett.

## COMMUNICATIONS FROM THE MAYOR

January 19, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 4, 1926—"An Ordinance to amend Sub-section N, entitled Police force under Department of Public Safety, of Section 608 entitled Designation of Officers and employees, of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and with stated exceptions repealing all former ordinances."

Yours very truly,

J. L. DUVALL.



February 2, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, Resolution No. 1, passed by the Council February 1, 1926, and General Ordinance No. 2, 1926, "An ordinance authorizing the City to make a Temporary Loan or Loans for the use of the Board of Health of the City of Indianapolis, Indiana, in anticipation of its current revenues of said Board of Health for the year 1926, authorizing the rate of interest to be charged therefore, providing for legal notice and fixing a time when the same shall take effect."

J. L. DUVALL,  
Mayor.

### REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., February 6, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 5, 1926, entitled "An Ordinance transferring the sum of Five Hundred (\$500.00) Dollars, from the fund in the Department of Public Safety, Electrical Unit known as Fund No. 44, and reappropriating the same to Fund No. 36, in the Department of Public Safety, Administrative Unit, and declaring a time when the same shall take effect," beg leave to report we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman  
WALTER R. DORSETT  
CLAUDE E. NEGLEY  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD.

Indianapolis, Ind., February 6, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 8, 1926, entitled "An Ordinance authorizing the City Controller to make a Temporary Loan or Loans in the sum of Four Hundred Thousand (\$400,000.00) Dollars in anticipation of current revenues appropriating the sum of Four Hundred and Ten Thousand (\$410,000.00) Dollars for the payment thereof and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman  
WALTER R. DORSETT  
CLAUDE E. NEGLEY  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD.

Indianapolis, Ind., February 6, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We your Committee on Public Works to whom was referred General Ordinance No. 9, 1926, entitled "An Ordinance

transferring the sum of Two Thousand (\$2,000.00) Dollars, from the fund in the Department of Public Works, Public Buildings Unit, Known as Fund No. 25, and reappropriating the same to Fund No. 38, in the Department of Public Works, 'Public Buildings Unit,' and declaring a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WALTER R. DORSETT, Chairman  
OTIS E. BARTHOLOMEW  
CLAUDE E. NEGLEY  
AUSTIN H. TODD  
O. RAY ALBERTSON.

Indianapolis, Ind., February 6, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Safety to whom was referred General Ordinance No. 6, 1926, entitled, "An Ordinance transferring the sum of One Hundred and Fifty (\$150.00) Dollars from the fund in the Department of Public Safety, Electrical Unit, known as Fund No. 44, and reappropriating the same to Fund No. 26 in the Department of Public Safety, Administration Unit, and declaring a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

CLAUDE E. NEGLEY, Chairman  
OTIS E. BARTHOLOMEW  
WALTER R. DORSETT  
AUSTIN H. TODD.

Indianapolis, Ind., February 6, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Safety to whom was referred General Ordinance No. 10, 1926, entitled "An Ordinance transferring the sum of Seventy-five (\$75.00) Dollars from the fund in the Department of Public Safety, Weights and Measures Unit, known as Fund No. 72, and reappropriating the same to Fund No. 38 in the Department of Public Safety, Weights and Measures Unit, and transferring the sum of Twenty-five (\$25.00) Dollars from the fund in the Department of Public Safety, Weights and Measures Unit known as Fund No. 45, and reappropriating the same to Fund No. 36 in the Department of Public Safety, Weights and Measures Unit; and transferring the sum of Seventy-five (\$75.00) Dollars from the fund in the Department of Public Safety, Weights and Measures Unit, known as Fund No. 33, and reappropriating the same to Fund No. 24 in the Department of Public Safety, Weights and Measures Unit, and declaring a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

CLAUDE E. NEGLEY, Chairman  
OTIS E. BARTHOLOMEW  
WALTER R. DORSETT  
AUSTIN H. TODD.

Indianapolis, Ind., February 6, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Law and Judiciary to whom was referred General Ordinance No. 11, 1926, entitled "An Ordinance authorizing and creating the position of Attorney for the Common Council of the City of Indianapolis, defining his duties, fixing the salary thereof and designating the time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be called down for second reading.

AUSTIN H. TODD, Chairman  
OTIS E. BARTHOLOMEW  
CLAUDE E. NEGLEY.

On call of Mr. Dorsett, General Ordinance No. 9 was read a second time by the Clerk.

On motion of Mr. Dorsett, seconded by Mr. Negley, General Ordinance No. 9 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 9 was read a third time by the Clerk and passed by the following vote:

Ayes, 8, viz.: Messrs. Dorsett, Negley, Albertson, Todd, Bartholomew, Springsteen, Raub and President Boynton J. Moore.

On call of Dr. Todd, General Ordinance No. 5 was read a second time by the Clerk.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 5 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 5 was read a third time by the Clerk and passed by the following vote:

Ayes, 8, viz.: Messrs. Dorsett, Negley, Albertson, Todd, Bartholomew, Springsteen, Raub and President Boynton J. Moore.

On call of Mr. Bartholomew, General Ordinance No. 6 was read a second time by the Clerk.

On motion of Mr. Bartholomew, seconded by Mr. Dor-

sett, General Ordinance No. 6 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 6 was read a third time by the Clerk and passed by the following vote:

Ayes, 8, viz.: Messrs. Dorsett, Negley, Albertson, Todd, Bartholomew, Springsteen, Raub and President Boynton J. Moore.

On call of Mr. Springsteen, General Ordinance No. 8 was read a second time by the Clerk.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 8 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 8 was read a third time by the Clerk and passed by the following vote:

Ayes, 8, viz.: Messrs. Dorsett, Negley, Albertson, Todd, Bartholomew, Springsteen, Raub and President Boynton J. Moore.

On call of Mr. Negley, General Ordinance No. 10 was read a second time by the Clerk.

On motion of Mr. Bartholomew, seconded by Mr. Negley, General Ordinance No. 10 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 10 was read a third time by the Clerk and passed by the following vote:

Ayes, 8, viz.: Messrs. Dorsett, Negley, Albertson, Todd, Bartholomew, Springsteen, Raub and President Boynton J. Moore.

On call of Dr. Todd, General Ordinance No. 11 was read a second time by the Clerk.

Dr. Todd asked and received permission from the President of the Council at this time to make some extended remarks on General Ordinance No. 11. Dr Todd requested the Clerk to read two newspaper clippings showing a contradictory legal opinion rendered by the Corporation Counsel. The excerpts follow:



January 23, 1926.

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**WAY MAY BE FOUND TO PAY \$200,000 DEBTS**

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**Rucker to Rule On Emergency Outside Budget**

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**NEW CITY JOBS PROBABLE**

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Alvah J. Rucker, city corporation counsel, indicated Thursday, in advance of a written opinion he is preparing, that financial emergencies not provided for in the city budget may be met legally.

In giving this opinion Rucker will open the way for the building department to place on the pay roll several inspectors designated in the new building code, but not provided for in the 1926 budget, and will also provide a basis for the city to pay debts accumulated under the preceding administration, amounting to nearly \$200,000. There is also the possibility that the opinion may be construed by Mayor John L. Duvall and members of the board of safety to mean that more than 100 patrolmen, now under suspension because the budget does not provide salaries for them, may be put to work.

**Outside Appropriations.**

Pointing out that the last act passed by the state legislature pertaining to city budgets does not place any restrictions on making expenditures outside the budget, but simply specifies that one must be made, Rucker said that he would recommend that the city conduct its financial operations in conformity to a previous budget law which specifies that appropriations may be made, outside the budget, to pay salaries for offices created by ordinance, to pay judgments against the city and to meet other real emergencies.

"I have made an exhaustive study of the budget laws in other states and of our own laws on the subject, and can find no provision which requires the city to adhere strictly to the budget," Rucker said.

He expects to have the formal opinion ready for presentation to Mayor John L. Duvall and William C. Buser, City Controller, within a few days.

February 2, 1926.

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**PLAN FOR CITY COUNCIL ATTORNEY AGAIN HIT.**

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**Rucker Gives Adverse Opinion on Renewed Attempt.**

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**HEALTH LOAN APPROVED.**

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A renewed attempt to provide an attorney exclusively for the City Council, apart from the other members of the city legal department, received a setback Tuesday when Alvah J. Rucker, corporation counsel, in reply to a question concerning the legality of the plan, reiterated a former opinion that the controller could not legally pay a warrant drawn for the services of such an official.



William C. Buser, city controller, would be liable under his bond in the event he paid such a warrant, Rucker said. The opinion was based on the lack of provision for such an official in the 1926 budget.

An ordinance was introduced by Dr. Austin Todd at the session Monday night providing for the employment of an attorney for the council at a salary of \$1,500 a year.

**Stricken From Files.**

A similar ordinance had been stricken from the files last month after it was found that no provision was made in the budget for the payment of such an official.

Dr. Todd explained that other city departments, such as the zoning commission and the park department, had their own legal counselors and asserted the city council might be embarrassed if it was forced to depend on the corporation counsel and city attorney during an investigation of some city department, should such an occasion arise.

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Dr. Todd also read a letter from the Corporation Counsel in which the Corporation Counsel expressed his legal opinion that the Common Council of the City of Indianapolis had no authority to create the position of attorney to the Council except where an emergency exists in line of its duty to investigate and examine into the functioning of the various city departments.

Mr. Raub followed Dr. Todd with a brief talk opposing the adoption of General Ordinance No. 11, stating that no emergency exists necessitating the creation of such an office as attorney to the Council. Before adjournment, President Moore of the Council asked the Clerk to read a public statement he had prepared which follows:

February 8, 1926.

*Members of the Council, Ladies and Gentlemen:*

I wish at this time to make a public statement in behalf of the Common Council of Indianapolis. By our action tonight in passing these five ordinances requested by the Executive Departments of the City we have shown that we do not desire to handicap or embarrass the city administration. It had always been the intentions of the majority of this Council to carry out to the letter the three major campaign promises of this administration, namely: economy, efficiency and strict law enforcement.

Now that this Council has demonstrated its willingness to co-operate with the Executive branch of the government we trust that the Executive department from the Mayor on down will likewise demonstrate their willingness to co-operate with this Council in its efforts to promote efficiency throughout the various departments of the city government.

BOYNTON J. MOORE.

Upon the completion of the reading of the statement by the Clerk, Mr. Raub made a motion to have the same stricken from the files which was seconded by Mr. Springsteen and when put to a vote failed to pass by the following vote:

Ayes, 2, viz.: Messrs. Raub and Springsteen.

Noes, 6, viz.: Messrs. Dorsett, Negley, Albertson, Todd, Bartholomew and President Boynton J. Moore.

On motion of Mr. Dorsett, seconded by Mr. Bartholomew, the Common Council of the City of Indianapolis, at 8:40 o'clock p. m., adjourned.

*Boynton J. Moore*

President.

Attest:

*William A. Boyce Jr.*

City Clerk.

## REGULAR MEETING

Monday, February 15, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, February 15, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and five members, viz.: Walter R. Dorsett, Claude E. Negley, Austin H. Todd, Otis E. Bartholomew and Robert E. Springsteen.

Absent: Millard W. Ferguson, Edward B. Raub and O. Ray Albertson.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Mr. Dorsett.

## COMMUNICATIONS FROM THE MAYOR

February 9, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature the following ordinances and delivered same to Wm. A. Boyce, Jr., City Clerk:

General Ordinance No. 5, 1926—"An Ordinance, transferring the sum of Five Hundred (\$500.00) Dollars from the fund in the Department of Public Safety, Electrical Unit, known as Fund No. 44, and reappropriating the same to Fund No. 36 in the Department of Public Safety, Administration Unit, and declaring a time when the same shall take effect."

General Ordinance No. 6, 1926—"An Ordinance, transferring the sum of One Hundred and Fifty (\$150.00) Dollars from the fund in the Department of Public Safety, Electrical Unit, known as Fund No. 44, and reappropriating the same to Fund No. 26 in the Department of Public Safety, Administration Unit, and declaring a time when same shall take effect."

General Ordinance No. 8, 1926—"An Ordinance, authorizing the City Controller to make a Temporary Loan or Loans in the sum of Four Hundred Thousand (\$400,000) Dollars in anticipation of current revenues appropriating the sum of Four Hundred and Ten Thousand (\$410,000) Dollars for the payment thereof and fixing a time when the same shall take effect.

"Whereas, the City of Indianapolis is now and will continue to be until the first day of April, 1926, without sufficient funds to pay its salary payroll and other current expenses, and

"Whereas, the said current expenses and said salary payrolls for said period will amount to approximately Seven Hundred Thousand (\$700,000) Dollars, and

"Whereas, in anticipation of collection of sufficient licenses and fees together with advance payment of taxes to make up the difference between the Four Hundred Thousand (\$400,000) Dollar Temporary Loan and the estimated expense of Seven Hundred Thousand (\$700,000) Dollars."

General Ordinance No. 9, 1926—"An Ordinance, transferring the sum of Two Thousand (\$2,000) Dollars from the fund in the Department of Public Works, Public Buildings Unit, known as Fund No. 25, and reappropriating the same to Fund No. 38, in the Department of Public Works, Public Buildings Unit, and declaring a time when the same shall take effect."

General Ordinance No. 10, 1926—"An Ordinance, transferring the sum of Seventy-five (\$75) Dollars from the fund in the Department of Public Safety, Weights and Measures Unit, known as Fund No. 72, and reappropriating the same to Fund No. 38 in the Department of Public Safety, Weights and Measures Unit, and

"Transferring the sum of Twenty-five (\$25) Dollars from the fund in the Department of Public Safety, Weights and Measures Unit, known as Fund No. 45, and reappropriating the same to Fund No. 36, in the Department of Public Safety, Weights and Measures Unit, and

"Transferring the sum of Seventy-five (\$75) Dollars from the fund in the Department of Public Safety, Weights and Measures Unit, known as Fund No. 33, and reappropriating the same to Fund No. 24 in the Department of Public Safety, Weights and Measures Unit, and declaring a time when the same shall take effect."

Yours very truly,

J. L. DUVALL.

## REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., February 12, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Law and Judiciary to whom was referred General Ordinance No. 11, 1926, entitled, "An Ordinance, authorizing and creating the position of Attorney for the Common Council of the City of Indianapolis, defining his duties, fixing the salary thereof and designating the time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

AUSTIN H. TODD, Chairman

CLAUDE E. NEGLEY

OTIS E. BARTHOLOMEW.



## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By Mr. Negley:

## GENERAL ORDINANCE NO. 12, 1926

AN ORDINANCE to amend Sub-section M, entitled Fire Force under Department of Public Safety, of Section 608 entitled Designation of Officers and Employees, of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and with stated exceptions repealing all former ordinances.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Sub-section M, entitled Fire Force under Department of Public Safety, of Section 608 entitled Designation of Officers and Employees, of General Ordinance No. 121, 1925, be amended by striking out of said Sub-section M entitled Fire Force under Department of Public Safety, of Section 608 entitled Designation of Officers and Employees, of General Ordinance No. 121, 1925, the following figures and words: "12. Second Assistant Fire Chief," and "16. Stenographer (First Grade)." and by renumbering the various positions under Sub-section M entitled Fire Force under Department of Public Safety, of Section 608, entitled Designation of Officers and Employees, of General Ordinance No. 121, so as to conform to the striking out of said positions of Second Assistant Fire Chief and Stenographer (First Grade).

Section 2. That the office of Second Assistant Fire Chief and the office of Stenographer, First Grade, of the Fire Force of the City of Indianapolis, Indiana, under the Department of Public Safety are hereby abolished.

Section 3. That the said Sub-section M entitled Fire Force under Department of Public Safety of Section 608, entitled Designation of Officers and Employees, of General Ordinance No. 121, 1925, shall be amended to read as follows:

(m) Fire Force under Department of Public Safety:

1. \*Fire Chief.
2. Two Aids to Chief.
3. Two Assistant Fire Chiefs.
4. Ten Battalion Chiefs.
5. Ten Aids to Battalion Chiefs.
6. Forty-four Captains, one of whom shall act as Secretary to Fire Chief.
7. Fifty-nine Lieutenants.
8. Four Engineers.
9. One hundred and fifteen Chauffeurs.
10. Two hundred and ninety-two Firemen, First Grade.
11. Sixty Substitute Firemen, First Grade.
12. Chief Inspector (Captain).
13. Secretary (Lieutenant).
14. Seven Inspectors (First Grade).



Section 4. That the Officers and Firemen scheduled under items 12, 13 and 14, are assigned to fire prevention duties under the supervision and direction of the Chief of the Fire Department.

Section 5. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Safety.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 13, 1926

AN ORDINANCE requiring and providing for the issuance of a license by the Board of Health of the City of Indianapolis, Indiana, for the operation and conducting of a barber shop, barber college, or barber school, in said city; providing for the payment of a license fee therefor to the City Controller of said city; fixing the amount of said license fee; fixing the term of said license; providing rules regulating the conduct and sanitation of said shop, college or school, and the business or calling of conducting the same; providing for the appointment of inspectors to carry out the inspection provisions hereof; repealing any and all ordinances or parts of ordinances in conflict therewith; providing a penalty for the violation thereof; and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. It is hereby declared unlawful for any person, firm or corporation to conduct a barber shop, barber college, or barber school, within the City of Indianapolis without having obtained a license so to do from the Board of Health of said city. The proprietor of any such shop, college or school, shall pay to the City Controller a fee of Three (\$3.00) Dollars per annum for each barber chair operated in said shop, college or school, and present a receipt therefor to said Board of Health, together with his or her application for a license; which said application shall give the name of the proprietor and the location at which he or she shall expect to operate, or conduct, said business; upon which application and receipt as aforesaid, said Board of Health shall issue a license therefor in the name of the proprietor and designating the location of such shop, college or school, with particularity. Any license so issued may be transferred to a different location or assigned to a new proprietor, but in either event such license shall be returned to the said Board for cancellation and a new permit issued in lieu thereof without additional fee or charge therefor. All licenses herein provided for

shall terminate on the 31st day of December of the year in which the same are issued, and be renewable from year to year. The license fee herein stipulated shall be payable at the rate thereof per annum.

Section 2. With a view to maintaining cleanliness and sanitary conditions, each barber shop, barber college, and barber school within said city shall be subject to and shall observe the following rules and regulations, to wit:

(a) All shops, colleges and schools, herein provided for shall be open for inspection during all business hours to any member of the Board of Health or the inspectors appointed as herein provided. Aforesaid inspectors shall make inspections as directed and required by said Board.

(b) No shop shall be operated in a living room, a dining room or any sleeping apartment.

(c) The floors, walls, furniture and fixtures of each barber shop, barber college, or barber school, shall at all times be kept thoroughly clean; jardinières, urns and cuspidors shall be thoroughly cleaned at least once each day. The floors shall be kept clean and free from hair accumulation thereon, and shall be mopped at least once each day.

(d) No barber shop, barber college, or barber school, shall be conducted or operated in a room or in rooms in which articles for human consumption are kept for sale, except tobacco and articles in sealed containers, unless such shop is partitioned off by a closely fitted partition extending from the floor to the ceiling with a close-fitted door in the entrance thereof. Any barber shop or barber chair conducted or operated in a pool room shall be partitioned by a closely fitted partition at least six feet in height and extending to the floor, with a close-fitted door therein, if any.

(e) Each barber shop, barber college, or barber school, shall be furnished with an adequate supply of running hot and cold water and a waste drain connected with the sewer where sewer connection can be had.

(f) No person affected with a communicable skin disease or any infectious or contagious disease, or any person in a state of intoxication, or any person who is an habitual drunkard shall be permitted to operate a barber shop, barber college or barber school.

(g) Each cup and brush must be thoroughly cleansed with hot water each time before using.

(h) Fresh, clean towels must be used for each patron, and all towels after they have been used must be thoroughly laundered before using again. All soaps, perfumes, bay rum, witch-hazel and other toilet articles, and all antiseptic solutions shall be of pure quality and free from adulteration. An antiseptic solution shall be used on each person after shaving.

(i) No barber shall knowingly serve in a barber shop, barber college or barber school, a person in an infectious stage of the disease of erysipelas, eczema, impetigo, sycosis, tuberculosis or any other highly contagious or infectious disease; and any person so affected is forbidden to present himself for service in any barber shop, barber college, or barber school operating within said city.

(j) Upon the violation of any of the above rules and regulations, the license herein provided may be refused or revoked by said Board, in addition to the penalty that may be imposed by a court of competent jurisdiction, and a new permit shall not be issued to the offender until he or she shall show a willingness and ability to comply therewith.

Section 3. Any proprietor as aforesaid holding license as herein provided shall conspicuously display said license in the place where the business is conducted.

Section 4. To carry out the provisions of this ordinance there shall be appointed by the Mayor of the City of Indianapolis and confirmed by the Common Council of said city, two (2) inspectors who shall be experienced barbers of not less than ten (10) years experience as such. Each barber shop, barber college, and barber school within said city shall be inspected at least once a month, by an inspector as herein provided, but any member of the said Board may inspect any said shop, college or school at any time during business hours. Each of the aforesaid inspectors shall be paid a salary of one hundred fifty (\$150.00) dollars per month.

Section 5. Any person, firm or corporation found guilty of violating any of the provisions of sections one (1), two (2), or three (3), of this ordinance, shall, on conviction thereof, be fined in any sum not less than five (\$5.00) dollars nor more than three hundred (\$300.00) dollars, or imprisoned in the county jail for a period not to exceed ninety (90) days, or both.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. This ordinance shall be in full force and effect from and after its passage and due publication as provided by law.

Which was read a first time and referred to the Committee on Public Health and Charities.

#### ORDINANCES ON SECOND READING AND FINAL ACTION

On motion of Dr. Todd, seconded by Mr. Dorsett, General Ordinance No. 11, 1926, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 11, 1926, was read a third time by the Clerk and passed by the following vote:

Ayes, 5, viz.: Messrs. Bartholomew, Dorsett, Negley, Todd and President Boynton J. Moore.

Noes, 1, viz.: Mr. Springsteen.

Mr. Ferguson entered the Council Chamber at 7:58 p. m. and took his seat.

On motion of Mr. Dorsett, seconded by Mr. Bartholomew, General Ordinance No. 7, 1926, was ordered stricken from the files.

At this time Mr. Negley secured permission from the chair to speak briefly in support of his Ordinance No. 12, 1926.

Mr. Negley in the course of his remarks declared that there was nothing personal in the Ordinance of which he is the author. Mr. Negley also declared:

"I have investigated over a period of five weeks and found that by eliminating these places, it will save the city considerable money. The Second Assistant Fire Chief draws a salary of \$3,062.50 and his Stenographer gets \$1,916.25. There are also in this department a Chief Inspector with the rank of Captain who gets \$2,382.50 a year, a secretary with the rank of Lieutenant at \$2,182.50 per year and seven Inspectors at \$1,916.25 per year. With the elimination of these two offices I believe there would be left in the department sufficient men to handle the situation efficiently and at considerable saving to the city. It is simply an economical measure such as we pledged ourselves to in the campaign. We followed the lead of Mayor Duvall and pledged ourselves to the platform of economy, efficiency and law enforcement. I, for one, have not forgotten that pledge. I sincerely believe we can effect both economy and efficiency by this move and save the city nearly \$5,000 a year."

Mr. Bartholomew addressed the members of the Council briefly in regard to an article which appeared on the sport page of the Indianapolis Sunday Star of February 14 in which the charge was made that the Boxing Commission received 5 per cent. of the total receipts at boxing exhibitions and gave no protection in return. Mr. Bartholomew declared this was an absolute falsehood inasmuch as the 5 per cent. of the receipts referred to in



the article goes to the general fund of the City of Indianapolis and members of the Boxing Commission receive nothing for their services. Mr. Bartholomew also declared totally unfounded reports and charges that the Commission was not treating all boxing promoters fairly.

At 8:08 o'clock p. m. the Common Council of the City of Indianapolis adjourned.

*Boydton J. Moore*  
President.

Attest:

*William A. Boyce, Jr.*  
City Clerk.



## REGULAR MEETING

Monday, March 1, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, March 1, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and eight members, viz.: Walter R. Dorsett, Claude E. Negley, Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen, O. Ray Albertson, Edward B. Raub and Millard W. Ferguson.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Dr. Todd.

## COMMUNICATIONS FROM THE MAYOR

February 24, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—As Mayor of the City of Indianapolis, I hereby within ten days after receiving the same, in writing, respectfully disapprove and veto General Ordinance No. 11, 1926, the same being an Ordinance authorizing and creating the position of Attorney for the Common Council of the City of Indianapolis, defining his duties and fixing the salary thereof and designating the time when the same shall take effect, passed by your body February 15, 1926, and presented to me on February 16, 1926.

I hereby transmit to you in writing my reasons for such veto.

In the first place gentlemen, this Ordinance for the creation for a new position and a new salary to be drawn from the City Treasury does not coincide with the principle of economy enunciated by this administration. There is no call nor pressing need for such an appropriation.

Such Ordinance would be invalid for the reason that under the budget appropriation for the year 1926, there has been no appropriation for such position. In such circumstances payment of the salary of such attorney, if it could be paid at all under the law, could only be paid from current unexpended funds not heretofore appropriated to any other purpose or purposes, but as you know all current funds which may come in for this year have been heretofore appropriated for specific purposes, not subject to diversion, and as a matter of fact, if the City Controller's estimates are correct, this municipality will be \$80,000.00 short even in the payment of such previous specific appropriations. Consequently there are and can be no funds for

the year 1926, for the payment of the salary expressed in the Ordinance.

This Ordinance seems upon its face to have been drawn under the theory of Section 8656, Burns 1914, which authorizes the Common Council to investigate the departments of government and to examine into any charge preferred against them or any of them.

This section gives the Council certain powers for such investigations, but in my opinion it only applies to a specific investigation wherein there is at least some ground to suspect malfeasance, misfeasance or corruption in a specific department or departments of the administration. It does not authorize in my view a blanket investigation or a fishing excursion. And of course it does not authorize under its guise the appointment of an attorney for the Council for their general purposes, contrary to the law of this state.

Even in a specific investigation based upon some grounds, it is extremely doubtful that the Common Council would have the right to appoint an attorney at law thereof. The statutes of the State by which we are all governed (Burns 1914, Sec. 8655, Cl. 53) makes its prohibition as to the Common Council:

"The Common Council of any city of the First, Second, Third or Fourth class, shall not elect or appoint any person to any office or employment whatever, except as in this Act expressly provided."

The said Section 8655 does not expressly provide, nor does it authorize by its language the appointment of an attorney at law for department investigation, nor does any other section of the statute. It would appear therefore that such departmental investigations of the section were intended by the law to be made by the City Council itself upon the theory that such evidence as could not be readily procured by the Council for impeachment purposes, should be left to the disclosure by bodies better fitted for complete and full investigation, such as the Grand Jury, Prosecuting Attorney's office, and the State Board of Accounts. Even in the most extreme cases under section 8655, in my view there could be no attorney for a specific investigation by the Council except the attorneys legally constituted by the law in the Legal Department, without winking at or overslaughing the express provision of the laws of this State.

It is very clear that under the State law your honorable body has no authority to appoint an attorney at law for itself or for any other department.

I cite you a brief digest of the State law which appears to be conclusive upon this point:

The General Assembly has created a legal department for this city, declaring the head thereof shall be appointed by the Mayor and that subordinate officers and employees thereof shall be appointed by such head, who may remove any of them. Burns 1914, Sec. 8684. The Corporation Counsel shall have the management, charge and control of the law business of the city, and for each branch of its government—shall be the legal advisor of all its departments and officers, shall draw up ordinances, leases, deeds, contracts or other legal papers for such city and its various departments when requested to do so by the proper officer—shall conduct all legal proceedings, etc.—in all cities the city attorney (corporation counsel) shall employ such other assistants as he may be authorized to do by ordinance, and not other.

## BURNS, 1914, SECTION 8692.

"Whenever any executive or administrative function shall be required to be performed by an ordinance or resolution of the Common Council, the same shall be performed by the proper executive department, and not by such council—no new department shall be created. The Common Council shall not elect or appoint any person to any office or employment whatever, except in this act expressly provided."

## BURNS 1914, SECTION 8655 (at conclusion)

Neither the last named act nor any other act expressly or impliedly gives the Common Council authority to employ a lawyer. The legal department is an executive department.

## BURNS 1914, SECTION 8684

For the foregoing reasons, gentlemen, I am constrained through my duties to the City, as I see it, to veto this Ordinance. The Mayor is always loath to set his opinion against that of yours and will only do so in cases such as this, where the public interest absolutely demands. Unfortunately this is one of such cases and reluctantly I am compelled to veto this measure. I am

Very respectfully yours,

JOHN L. DUVALL,

Mayor.

Dr. Todd moved that General Ordinance No. 11 be passed over the Mayor's veto. Seconded by Mr. Dorsett.

At this time Mr. Raub raised a point of order, stating that it was not the proper time to vote on the passage of the ordinance over the Mayor's veto. President Moore ruled Mr. Raub out of order.

Mr. Dorsett raised a point of order that there was a motion before the house.

Mr. Raub again interrupted the President of the Council as he was attempting to put Dr. Todd's motion to a vote and moved that consideration of General Ordinance No. 11 be postponed until the next regular meeting. Mr. Raub's motion was seconded by Mr. Ferguson.

President Moore put Mr. Raub's motion to a vote and the same was carried on a roll call vote as follows:

Ayes, five, viz.: Messrs. Albertson, Bartholomew, Ferguson, Raub and Springsteen.

Noes, four, viz.: Messrs. Dorsett, Negley, Todd and President Moore.

## REPORTS FROM CITY OFFICERS

February 27, 1926.

*To Mr. William A. Boyce, Jr., City Clerk of Indianapolis, Indiana:*

Dear Sir—I hand you herewith fourteen copies of an ordinance annexing to the City of Indianapolis the district east of Arlington Avenue and south of Tenth Street, which is practically covered by Pleasant Run Golf Course.

Will you kindly present this ordinance at the next regular meeting of the City Council. Monday, March 1, 1926.

Yours very truly,

GEORGE G. SCHMIDT,

City Civil Engineer.

## REPORTS FROM COMMITTEES

Indianapolis, Ind., February 25, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Parks to whom was referred Special Ordinance No. 1, 1926, entitled "An Ordinance, authorizing the sale, alienation and conveyance of real estate by the Board of Park Commissioners of the Department of Public Parks of the City of Indianapolis, and fixing a time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same not be passed.

OTIS E. BARTHOLOMEW, Chairman

AUSTIN H. TODD

WALTER R. DORSETT

CLAUDE E. NEGLEY.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By Mr. Dorsett:

## GENERAL ORDINANCE NO. 14, 1926

AN ORDINANCE, regulating vehicle parking in the congested district, establishing a time limit, restricting the number of automobiles and providing certain penalties for violation thereof; repealing all ordinances and parts of ordinances in conflict herewith and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. The parking of vehicles on the streets and public places in the congested district, within the City of Indianapolis, Indiana, shall be permitted as follows, to wit.:

(a) In the Congested District and also on Washington Street, from East Street to West Street, all vehicles may park for a continuous period, not to exceed one and one-half (1½) hours, between the hours of eight o'clock A. M. and seven o'clock P. M. Between the hours of seven o'clock P. M. and eight o'clock A. M. there shall be no limitation as to the duration of time on which a vehicle shall be parked, except that at no time or in any street or alley, shall any vehicle remain parked for a period of more than ten (10) hours.

(b) No person, firm or corporation, shall be permitted to park more than two of their vehicles, at any one time, by the provisions



of this ordinance, within any one square, within the congested district of the City of Indianapolis.

(c) Every person, firm or corporation violating any of the above provisions of this ordinance, shall upon conviction be fined in any sum not exceeding Three Hundred (\$300.00) Dollars, to which may be added imprisonment not exceeding one hundred and eighty days.

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Which was read a first time and referred to the Committee on Public Safety.

By Dr. Todd:

#### GENERAL ORDINANCE NO. 15, 1926

AN ORDINANCE, relating to the establishment by white persons of a home-residence in a negro community, and the establishment by negroes of a home-residence in a white community, providing a penalty for the violation thereof, and declaring a time when the same shall take effect.

#### PREAMBLE

WHEREAS, in the interest of public peace, good order and the general welfare, it is advisable to foster the separation of white and negro residential communities.; therefore,

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That it shall be unlawful for any white person to hereafter establish a home-residence on any property located in a negro community, or portion of the municipality inhabited principally by negroes, or for any negro to establish a home-residence on any property located in a white community or portion of the municipality inhabited principally by white people, except on the written consent of a majority of the persons of the opposite race inhabiting such community or portion of the city to be affected; the aforesaid written consent to be filed of record with the City Clerk.

Provided, however, that a white person owning property in a colored community, or a colored person owning property in a white community, before the passage of this ordinance may exercise his or her vested right to thereafter move into and reside there without obtaining the consent of a majority of the persons of the opposite race occupying such community. Provided, further, that a white person may exercise his vested right to sell his property in a white community to a negro, and a negro may exercise his vested right to sell his property in a negro community to a white person, but the purchaser in either case after the passage of this ordinance can not take up his residence therein without first obtaining the written consent of a majority of the citizens of the other race inhabiting such community, as hereinbefore provided.

Section 2. That it shall be unlawful to maintain any home-residence established in violation of Section 1 of this ordinance.

Section 3. That each seven (7) days maintenance of any home-residence established in violation of Section 1 of this ordinance shall



be deemed to be and shall constitute a separate and distinct offense.

Section 4. That the terms "white community" and "negro community" as used in this ordinance shall be taken and held to mean and embrace every residence fronting on either side of any street within three hundred feet of the location of the property involved, measuring along the middle of the streets in any and all directions.

Section 5. That any person violating any of the provisions of this ordinance shall on conviction be punished for each offense by a fine not exceeding fifty dollars, or by imprisonment not exceeding thirty days, or by such fine and such imprisonment in default of the payment of the fine, or by both such fine and such imprisonment, in the discretion of the court having jurisdiction.

Section 6. That should any provision or section of this ordinance be held to be invalid, its invalidity shall not affect or annul the other provisions of this ordinance, which shall nevertheless have the fullest effect possible in such case.

Section 7. This ordinance shall be in full force and effect from and after its passage and legal publication according to law.

Which was read a first time and referred to the Committee on City Welfare.

By the City Engineer:

#### SPECIAL ORDINANCE NO. 2, 1926

AN ORDINANCE, annexing certain territory to the City of Indianapolis, Indiana, and defining a part of the boundary line of said City, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City of Indianapolis be and the same is hereby extended so as to include the following described continuous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, Indiana.

Section 2. Beginning at the intersection of the center line of Arlington Avenue with the north line of Section 2, Township 15 North, Range 4 East; thence east along the north line of said Section 2, commonly known as the center line of Tenth Street, a distance of 2,635.05 feet, more or less, to the east line of the west half of said Section 2; thence south along the aforescribed east line, to the north line of the southwest quarter of said Section 2; thence west along the aforescribed north line, to the center line of Arlington Avenue; thence north along the center line of Arlington Avenue, to the center line of Tenth Street, the place of beginning.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Works.

## CALL FOR ORDINANCES ON SECOND READING

Mr. Bartholomew called for Special Ordinance No. 1 for second reading. It was read a second time by the Clerk.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, Special Ordinance No. 1 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 1 was read a third time by the Clerk and failed to pass by the following vote:

Noes, nine, viz.: Messrs. Albertson, Bartholomew, Dorsett, Ferguson, Negley, Raub, Springsteen, Todd and President Boynton J. Moore.

At this time Mr. Albertson presented the following motion which was seconded by Mr. Raub:

Indianapolis, Ind., March 1, 1926.

*Mr. President:*

I move that George G. Schmidt be requested to appear before the next regular meeting of the City Council to explain why he has twenty Inspectors on his force when they are not warranted by the present amount of public improvements.

O. RAY ALBERTSON.

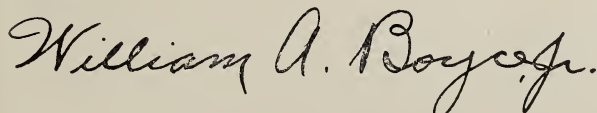
President Moore put Mr. Albertson's motion to a vote which was passed unanimously by the Council.

At 8:05 o'clock p. m. the Common Council of the City of Indianapolis ajourned.



President.

Attest:



City Clerk.



## SPECIAL MEETING

Thursday, March 4, 1926, 1:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, March 4, 1926, at 1:30 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

March 3, 1926, 9 a. m.

*To the Members of Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Thursday, March 4, at 1:30 p. m.

The purpose of such meeting being to consider a motion to repeal the motion passed March 1, 1926, requesting the City Engineer to appear before the Council and to consider General Ordinances Nos. 12 and 14, and to consider amendments to General Ordinances Nos. 108 and 110, 1925.

Respectfully,

BOYNTON J. MOORE.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WILLIAM A. BOYCE, JR.,

City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and eight members, viz.: Walter R. Dorsett, Claude E. Negley, O. Ray Albertson, Dr. Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen, Edward B. Raub and Millard W. Ferguson.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Mr. Dorsett.

## COMMUNICATIONS FROM CITY OFFICERS

March 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you copies of an ordinance amending Section 1 of General Ordinance No. 108, 1925, relative to a Sixty-

One Thousand (\$61,000.00) Dollar Bond Issue for the construction of hard surface pavement on Baltimore and Hillside Avenues, under the connecting road law whereby the City and County share equal the burden of this improvement. There have been several flaws found by the Legal Department in Section 1 of this ordinance and if these bonds were to bear date of January 1, 1926, the interest already accrued would amount to more than \$900.00, possibly preventing the sale of these bonds.

I respectfully recommend the passage of this ordinance to amend General Ordinance No. 108, Section 1.

Your very truly,

WM. C. BUSER,  
City Controller.

March 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you copies of an ordinance amending Section 1 of General Ordinance No. 110, 1925, relative to a Forty-three Thousand (\$43,000.00) Dollar Bond Issue for the construction of two bridges, one of which is located on Blackford Street and the other on Meridian Street in the City of Indianapolis. There have been several flaws found by our Legal Department in Section 1 of this ordinance and if these bonds were to bear date of January 1, 1926, the interest already accrued would amount to more than \$650.00, possibly preventing the sale of these bonds.

I respectfully recommend the passage of this ordinance to amend General Ordinance No. 110, Section 1.

Yours very truly,

WM. C. BUSER,  
City Controller.

## REPORTS FROM COMMITTEES

Indianapolis, Ind., March 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Safety to whom was referred General Ordinance No. 14, 1926, entitled: "An Ordinance regulating vehicle parking in the congested district, establishing a time limit, restricting number of automobiles and providing certain penalties for violation thereof; repealing all ordinances and parts of ordinances in conflict herewith and declaring a time when the same shall take effect"; beg leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

OTIS E. BARTHOLOMEW  
WALTER R. DORSETT  
A. H. TODD.  
M. W. FERGUSON

Indianapolis, Ind., March 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Safety to whom was referred General Ordinance No. 14, 1926, beg leave to report that



we have had said ordinance under consideration, and recommend that the same be passed.

CLAUDE E. NEGLEY, Chairman.

Indianapolis, Ind., March 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Safety to whom was referred General Ordinance No. 12, 1926, entitled: "An Ordinance to amend Sub-Section M, entitled Fire Force under Department of Public Safety of Section 608 entitled Designation of Officers and Employees, of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and with stated exceptions repealing all former ordinances."; beg leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

OTIS E. BARTHOLOMEW  
WALTER R. DORSETT  
M. W. FERGUSON  
A. H. TODD.

Indianapolis, Ind., March 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Safety to whom was referred General Ordinance No. 12, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

CLAUDE E. NEGLEY, Chairman.

## INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

### GENERAL ORDINANCE NO. 16, 1926

AN ORDINANCE, to amend Section 1, of General Ordinance No. 110, 1925, passed by the Common Council of the City of Indianapolis, Indiana, on December 21, 1925, and approved by the Mayor of said City on the 24th day of December, 1925, entitled "An Ordinance authorizing the borrowing of Forty-three Thousand (\$43,000.00) Dollars and the sale of forty-three (43) bonds of One Thousand (\$1,000.00) Dollars each of the City of Indianapolis, Indiana, payable from the general revenue and funds of said City or from the Sinking Fund of said city or as may be required by law for the purpose of procuring money to be used in constructing two bridges, one where Meridian Street in the City of Indianapolis, Indiana, extended crosses the Indianapolis Water Company's canal, and one where Blackford Street crosses the Indianapolis Water Company's canal in said City," under separate contract for each of said improvements entered into on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, by and between the City of Indianapolis, by and through its Board of Public Works with the approval of its

Mayor as provided for and authorized by an Act of the General Assembly of the State of Indiana, entitled:

"An Act concerning Municipal Corporations approved, March 6, 1905."

and all acts amendatory thereof and supplemental thereto, and fixing a time when this ordinance shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Section 1 of General Ordinance No. 110, 1925, passed by the Common Council of the City of Indianapolis, Indiana, December 21, 1925, and approved by the Mayor of said City on the 24th day of December, 1925, entitled: "An Ordinance Authorizing the Borrowing of Forty-three (\$43,000.00) Dollars and the sale of forty-three (43) bonds of One Thousand (\$1,000.00) Dollars each, of the City of Indianapolis, Indiana, payable from the general revenues and funds of said City or from the sinking fund of said City or as may be required by law for the purpose of procuring money to be used in constructing two bridges, one where Meridian Street in the City of Indianapolis, Indiana, extended, crosses the Indianapolis Water Company's canal and one where Blackford Street crosses the Indianapolis Water Company's canal in said City," under separate contract for each of said improvements entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 192 \_\_\_\_, by and between the City of Indianapolis by and through its Board of Public Works with the approval of its Mayor as provided for and authorized by an act of the General Assembly of the State of Indiana, entitled:

"An Act concerning Municipal Corporations, approved March 6, 1905,"

and all acts amendatory thereof and supplemental thereto, and fixing a time when the same shall take effect, "be amended to read as follows:"

Section 1. That the City Controller be and he is hereby authorized for the purpose of procuring money to be used for the purpose of erecting the said bridge at Meridian Street and the Indianapolis Water Company's canal, and the erection of the bridge at the intersection of Blackford Street and the Indianapolis Water Company's canal, as set out in said resolution and ordinance, to prepare, issue and sell, forty-three (43) new bonds of the City of Indianapolis, Marion County, Indiana, of One Thousand (\$1,000.00) Dollars each, which bonds shall bear the date of \_\_\_\_\_, and shall be numbered from one (1) to forty-three (43) both inclusive, and shall be designated "Municipal Bridge Bonds of 1926," and shall bear interest at the rate of four and one-half ( $4\frac{1}{2}\%$ ) per cent. per annum, payable semi-annually on the first day of January and the first day of July of each year of the period of said bonds. Two (2) of said bonds in the sum of \$1,000 each shall mature and be payable at the rate of Two Thousand (\$2,000.00) Dollars each year for seventeen (17) years, beginning January 1, 1928, and three (3) bonds for One Thousand (\$1,000.00) Dollars each for three (3) years, beginning January 1st, 1945.

The first coupon attached to each bond shall be for the interest on said bond from the date of issue until the first day of July, 1927. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's office of the City of Indianapolis, Indiana, at Indianapolis, Indiana: said bonds shall be signed

by the Mayor and City Controller of the City of Indianapolis, and attested by the City Clerk, who shall affix the seal of said City to each of said bonds; and the interest coupons attached to said bonds shall be authenticated by a lithographic fac-simile of the signature of the Mayor and the City Controller of said City engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof: said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller, at the time of the issue and negotiation of said bonds, to register in the book kept for that purpose all of the said bonds so issued and negotiated in serial number beginning with bond No. 1, giving also the date of their issuance, their amount, date of maturity, rate of interest, and the time and place where said interest shall be payable, said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No.----- \$1,000.00  
UNITED STATES OF AMERICA  
CITY OF INDIANAPOLIS  
MARION COUNTY, STATE OF INDIANA  
MUNICIPAL BRIDGE BONDS OF 1926.

For value received, the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer without any relief from valuation or appraisalment laws, on the 1st day of January, 1928, at the City Treasurer's office of the City of Indianapolis, Indiana, One Thousand (\$1,000.00) Dollars in lawful money of the United States of America, together with interest thereon at the rate of four and one-half ( $4\frac{1}{2}\%$ ) per cent. per annum from date until paid.

The first interest payable on the first day of July, 1927, and the interest thereafter payable semi-annually on the first day of January and July, respectively, upon presentation and surrender of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of an issue of forty-three (43) bonds of One Thousand (\$1,000.00) Dollars each, numbered from one (1) to forty-three (43), both inclusive, of the date of----- day of -----, 192-----.

Said bonds mature in series of two bonds each year for seventeen (17) years, beginning January 1st, 1928, and three (3) bonds each year for three years beginning January 1st, 1945. The first interest coupons payable July 1st, 1927. These bonds are issued by said City of Indianapolis, pursuant to an ordinance passed by the Common Council at the City of Indianapolis on the 21st day of December, 1925, and an Act of the General Assembly of the State of Indiana, entitled: "An Act Concerning Municipal Corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto.

It is hereby certified that all conditions, acts and things essential to the validity of this bond, exist, have happened and have been done, and that all requirements of the law affecting



the issuance thereof have been duly complied with and that this bond is within every debt and other limit prescribed by the constitution and laws of the State of Indiana and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment of this principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Controller, and attested by the City Clerk, and the corporate seal of said City to be affixed this as of the

----- day of -----, 19-----

-----  
Mayor.

-----  
City Controller.

Attest:

-----  
City Clerk.

Section 2. This ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

#### GENERAL ORDINANCE NO. 17, 1926

AN ORDINANCE, to amend Section 1 of General Ordinance No. 108, passed by the Common Council of the City of Indianapolis on the 7th day of December, 1925, and approved by the Mayor on the ----- day of -----, 192-----, entitled: "An ordinance authorizing the sale of sixty-one (61) bonds of One Thousand (\$1,000.00) Dollars each of the City of Indianapolis, payable from the general revenue and funds of said City and or from the sinking funds of said City, or as may be required by law for the purpose of procuring money to pay the City's part of the cost of improving Baltimore Avenue from the northwest property line of Hillside Avenue to the south property line of Thirty-fourth Street; also to pay the City's part of the cost of improving Hillside Avenue from the north line of the brick pavement just south of the north property line of Bloyd Avenue to the south line of concrete pavement northeast of east property line of Baltimore Avenue under contracts for said improvements entered into by and between the City of Indianapolis, by and through its Board of Public Works, with the approval of its Mayor, in the County of Marion, State of Indiana, by and through its Board of Commissioners, as provided for and authorized by an Act of the General Assembly of the State of Indiana, entitled: 'An Act for an Act concerning the improvement of streets and public highways in cities of the first class which connect with, extend or continue as hard surface public highways beyond the corporate limits of such City in the County in which such city is located, providing for the assessment of part of the cost of such improvements against the abutting real estate and the remainder of the cost of such improvement shall be paid equally by such City and the County in which such City is located,' declaring an emergency," and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller of the City of Indianapolis be and he is hereby authorized for the purpose of procuring money to be used to pay the City's part of the improvement of that part of Baltimore Avenue and Hillside Avenue, as provided for in said contracts as set out in this ordinance, prepare and sell sixty-one (61) new bonds for the City of Indianapolis, Marion County, Indiana, for the sum of One Thousand (\$1,000.00) Dollars each, which bonds shall bear date of January 1st, 1926, and be numbered from one (1) to sixty-one (61), both inclusive, and shall be designated as "City Street and Public Highway Bonds of 1926" and shall be issued in twenty (20) series as follows: The first nineteen (19) series shall be for three (3) bonds of One Thousand (\$1,000.00) Dollars each. The twentieth series shall be for four (4) bonds of one thousand (\$1000.00) dollars each. The first series shall mature on the the first day of January, 1928, and one (1) series on the first day of January thereafter to and including January 1st, 1947, and shall bear interest at the rate of four and one-half ( $4\frac{1}{2}\%$ ) per cent. per annum, payable semi-annually on the first day of July and January of each year and said installments of interest shall be evidenced by interest coupons attached to said bond, and the first coupon attached to each of said bonds for the interest on said bonds from date of issue until the first day of July, 1927. Said bonds and interest coupons shall be negotiable and payable at the office of the City Treasurer, Indianapolis. Said bonds shall be signed by the Mayor and the City Controller of the City of Indianapolis and attested by the City Clerk, who shall affix the seal of said City to each of said Bonds and the interest coupons attached to said bonds shall be authenticated by a lithographed fac-simile of the signatures of the Mayor and the City Controller engraven thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof. Said bonds shall be prepared by the City Controller in due form irrevocably pledging the faith and credit of the City of Indianapolis to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller at the time of the issue and negotiation of said bonds so issued and negotiated in serial number, beginning with bond No. One (1), entering the date of issue, the amount of bond, the rate of interest, the date of maturity, the time and place for the payment of interest and the place of payment of the principal; said bonds shall be prepared according to the following forms and all blanks thereing shall be properly filled in before the issue thereof:

"be amended to read as follows:"

Section 1. That the City Controller of the City of Indianapolis be and he is hereby authorized for the purpose of procuring money to be used to pay the City's part of the improvement of that part of Baltimore Avenue and Hillside Avenue, as provided for in said contracts as set out in this Ordinance, to prepare and sell sixty-one (61) new bonds of the City of Indianapolis, Marion County, Indiana, for the sum of One Thousand (\$1,000.00) Dollars each, which bonds shall bear date of ----- and be numbered from one (1) to sixty-one (61), both inclusive, and shall be designated as "City Street and Public Highway Bonds of 1926," and shall be issued in twenty (20) series as follows: The first nineteen series shall



be for three (3) bonds of One Thousand (\$1,000.00) Dollars each. The twentieth series shall be for four (4) bonds of One Thousand (\$1,000.00) Dollars each. The first series shall mature on the first day of January, 1928, and one (1) series on the first day of January thereafter, to and including January 1st, 1947, and shall bear interest at the rate of four and one-half ( $4\frac{1}{2}\%$ ) per cent. per annum, payable semi-annually on the first day of July and January of each year, and said installments of interest shall be evidenced by interest coupons attached to said bonds, and the first coupon to each of said bonds for the interest on said bonds from the date of issue until the first day of July, 1927. Said bonds and interest coupons shall be negotiable and payable at the office of the City Treasurer of Indianapolis. Said bonds shall be signed by the Mayor and the City Controller of the City of Indianapolis and attested by the City Clerk, who shall affix the seal of said City to each of said bonds and the interest coupons attached to said bonds shall be authenticated by a lithographed fac-simile of the signatures of the Mayor and City Controller of said City engraven thereon which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof. Said bonds shall be prepared by the City Controller in due form irrevocably pledging the faith and credit of the City of Indianapolis to the payment of the principal and interest stipulated therein, respectively. It shall be the duty of the City Controller at the time of the issue and negotiation of said bonds to register in the book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with bond No. One (1) entering the date of issue, the amount of bond, the rate of interest, the date of maturity, the time and place for the payment of interest and the place of payment of the principal; said bonds shall be prepared according to the following forms and all blanks therein shall be properly filled in before the issue thereof:

No.-----

\$1,000.00

UNITED STATES OF AMERICA  
CITY OF INDIANAPOLIS  
MARION COUNTY, STATE OF INDIANA  
CITY STREET AND PUBLIC HIGHWAY BONDS  
OF 1926.

For Value Received, the City of Indianapolis, in Marion County, State of Indiana, hereby promises to pay to the bearer without any relief from valuation or appraisal laws on----- at the City Treasurer's Office in the City of Indianapolis, Indiana, One Thousand (\$1,000.00) Dollars in lawful money of the United States, together with interest thereon at the rate of four and one-half ( $4\frac{1}{2}\%$ ) per cent. per annum, from date until paid, the first interest payable on the first day of July, 1927, and interest thereafter payable semi-annually on the first day of January and July, respectively, on the presentation and surrender of the proper interest coupons thereunto attached and which are made a part of this bond.

This bond is one of an issue of sixty-one (61) of One Thousand (\$1,000.00) Dollars each, numbered from one (1) to sixty-one (61) both inclusive, of date of -----, issued by the City of Indianapolis, pursuant to an ordinance passed by the Common Council of said City of the ----- day of -----, 19--, and an Act of the General Assembly of the State of Indiana, entitled:

"An Act Concerning Municipal Corporations," approved March 6, 1905, and Acts amendatory thereof and supplemental thereto.

It is hereby certified that all things and acts required by laws of the State of Indiana, and by Ordinance of the Common Council of the City of Indianapolis, precedent to the issuance of this bond, have happened and have been done and performed in and about the authorization, appropriation, issuance and complete execution of this bond, and it is further certified that this bond is within every limit of debt prescribed by the Constitution and laws of the State of Indiana and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and the City Controller, and attested by the City Clerk, and the corporate seal of said City to be hereunto affixed this -----.

-----  
Mayor.

-----  
City Controller.

Attest: .

-----  
City Clerk.

Section 2. This Ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

Which was read a first time.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS

Mr. Bartholomew introduced the following motion which was seconded by Mr. Todd:

Indianapolis, Indiana  
March 4th, 1926

Mr. President:

I move that the motion introduced by Mr. Albertson and seconded by Mr. Raub, for the purpose of calling Mr. Schmidt, City Engineer, before the next regular meeting of the Council to explain why he has twenty inspectors on his force, which was passed by the Council, March 1st, 1926, be and the same is hereby repealed and declared null and void, and that the same be and hereby ordered stricken from the files, and that the said City Engineer be notified by the Clerk of the Common Council to disregard notice to appear before this body.

OTIS E. BARTHOLOMEW.

Which was read and passed by the following roll call vote:

Ayes, 6, viz: Messrs. Bartholomew, Dorsett, Ferguson, Negley, Todd and President Boynton J. Moore.

Noes, 3, viz.: Messrs. Albertson, Raub and Springsteen.

#### ORDINANCES ON SECOND READING

Mr. Raub called for General Ordinance No. 12 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Raub, General Ordinance No. 12 was ordered stricken from the files by the following roll call vote:

Ayes, 8, viz: Messrs. Bartholomew, Dorsett, Ferguson, Todd, Albertson, Raub, Springsteen and President Boynton J. Moore.

Noes, 1, viz: Mr. Negley.

Mr. Bartholomew called for General Ordinance No. 14 for second reading. It was read a second time.

On Motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 14 was ordered stricken from the files by the following vote:

Ayes, 8, viz: Messrs. Bartholomew, Dorsett, Ferguson, Todd, Albertson, Raub, Springsteen and President Boynton J. Moore.

Noes, 1, viz.: Mr. Negley.

At this time Mr. Roberts, Assistant City Attorney, spoke in explanation of his request on the Council to suspend the rules and pass General Ordinances Nos. 16 and 17.

At 2:55 p. m., the Common Council on motion of Dr. Todd, seconded by Mr. Bartholomew, recessed until 3:10 p. m.

At 3:10 p. m., the Clerk called the roll and found all nine members present.

On motion of Dr. Todd, seconded by Mr. Dorsett, the Council voted unanimously to suspend the rules to consider the passage of General Ordinance No. 16.

Mr. Bartholomew called for General Ordinance No. 16 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 16 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 16 was read a third time and passed unanimously by roll call vote of the Council.

On motion of Dr. Todd, seconded by Mr. Dorsett, the Council voted unanimously to suspend the rules to consider the passage of General Ordinance No. 17.

Mr. Raub called for General Ordinance No. 17 for second reading. It was read a second time.

On motion of Mr. Raub, seconded by Dr. Todd, General Ordinance No. 17 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 17 was read a third time and passed unanimously by the Common Council on a roll call vote.

At 3.28 o'clock, p. m., the Common Council of the City of Indianapolis, adjourned.

*Baynton J. Moore*

President.

Attest:

*William A. Boyce Jr.*

City Clerk.





## REGULAR MEETING

The Common Council of the City of Indianapolis met in the Council Chamber, March 15, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and five members, viz.: Walter R. Dorsett, Otis E. Bartholomew, Austin H. Todd, Claude E. Negley and Edward B. Raub.

Absent: Messrs. Albertson, Ferguson and Springsteen.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Dr. Todd.

## COMMUNICATIONS FROM THE MAYOR

March 6, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to William A. Boyce, Jr., City Clerk, General Ordinance No. 17, 1926. "An Ordinance to amend Section 1 of General Ordinance No. 108, passed by the Common Council of the City of Indianapolis on the 7th day of December, 1925, and approved by the Mayor on the 4th day of March 1926, entitled "An Ordinance Authorizing the sale of sixty-one bonds of One Thousand (\$1,000.00) Dollars each of the City of Indianapolis.

J. L. DUVALL,  
Mayor.

March 6, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to William A. Boyce, Jr., City Clerk, General Ordinance No. 16, 1926, "An Ordinance to amend Section 1 of General Ordinance No. 110, 1925," passed by the Common Council of the City of Indianapolis, Indiana, on December 21, 1925, entitled "An Ordinance Authorizing the borrowing of Forty-three Thousand (\$43,000.00) Dollars and the sale of Forty-three (43) Bonds of One Thousand (\$1,000.00) Dollars each of the City of Indianapolis."

J. L. DUVALL,  
Mayor.

## REPORT FROM CITY OFFICERS

March 15, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am presenting you with General Ordinance No. -----, 1926, transferring the sum of \$2,000.00 from Garage and Motor Fund No. 33, Department of Public Works, to Equipment Fund No. 72, Department of Public Works, and fixing a time when the same shall take effect.

I recommend the passage of this ordinance.

Very respectfully,

WM. C. BUSER,  
City Controller.

March 15, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am presenting you, herewith, a General Ordinance authorizing me to make a permanent loan in the form of a bond issue, which is to be used for the payment of unpaid bills, reduction of assessments and court judgments, which have accrued up to and including December 31, 1925.

I recommend the passage of this ordinance.

Respectively,

WM. C. BUSER,  
City Controller.

## REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., March 12, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 15, 1926, entitled "An Ordinance relating to the establishment by white persons of a home-residence in a negro community, and the establishment by negroes of a home-residence in a white community, providing a penalty for the violation thereof, and declaring a time when the same shall take effect," beg to report that we have had said ordinance under consideration, and recommend that the same be passed.

AUSTIN H. TODD  
CLAUDE E. NEGLEY.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the City Controller:

## GENERAL ORDINANCE NO. 18, 1926.

AN ORDINANCE, authorizing the City Controller to make a permanent loan or loans in the sum of Two Hundred and Ten Thousand (\$210,000.00) Dollars for the purpose of procuring money to be used for the purpose of the payment of corporate debts

of said city accrued or incurred before the 1st day of January, 1926, by the last preceding city administration and thus in and for the legitimate exercise of the corporate power of said city; authorizing the issuance of bonds for the purposes of refunding such loan or loans, providing for the terms and tenor of such bonds which shall be issued in evidence of such loan or loans and for the time and character of notice and the mode of making sale of such securities, and authorizing the City Controller to make and supervise the preparation, advertisement, negotiation and sale of such securities, as provided for and authorized by an Act of the General Assembly of the State of Indiana, entitled:

"An Act Concerning Municipal Corporations approved  
March 6, 1905,"

and all acts amendatory thereof and supplemental thereto, and fixing a time when the same shall take effect.

WHEREAS, there are now unpaid bills and obligations of the City of Indianapolis accrued or incurred by the City on or before the 1st day of January, 1926, in a sum in excess of Two Hundred Thousand (\$200,000.00) Dollars, including bills and obligations caused by the reduction of assessments for benefits against abutting property owners and those otherwise benefited by public improvements, including judgments against the City by court action, and including large sums for the current expenses for the operation of the various departments of the City Government before January 1, 1926, and other similar expenses, and

WHEREAS, under the budget Ordinance of said city for the year 1926, there are no funds nor monies with which to pay said debts and by the estimate of the Controller the money realized upon levy under said Budget Ordinance will run and operate in the neighborhood of Eighty Thousand (\$80,000.00) Dollars short of meeting the current obligations of the city for the year 1926, and

WHEREAS, the said debts are those for which the City is under legal and moral obligation to pay, and if provision is not made for their payment the city will be obligated for additional costs and expenses by reason of actions brought for the same and judgments against the city incurred thereby, and

WHEREAS, the credit and good name of the City for the payment of its just obligations must be maintained.

*Now Therefore, Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller be and he is hereby authorized for the purposes of procuring money to be used for the purposes of paying, settling, compromising and obtaining acquittances for any and all debts, obligations and legal charges against said city accrued or incurred by said city on or before the 1st day of January, 1926, to prepare, issue and sell two hundred and ten (210) new bonds of the City of Indianapolis, Marion County, Indiana, of One Thousand



(\$1,000.00) Dollars each, which bonds shall bear the date of \_\_\_\_\_ and shall be numbered from one (1) to two hundred and ten (210) both inclusive, and shall be designated "Municipal Debt Bonds of 1926," and shall bear interest at the rate of four and one-half ( $4\frac{1}{2}\%$ ) per cent. per annum, payable semi-annually on the first day of \_\_\_\_\_ and the first day of \_\_\_\_\_ of each year of the period of said bonds. The first seventy (70) of said bonds in the sum of One Thousand (\$1,000.00) Dollars each shall mature and be payable on the 1st day of January 1928, and the second seventy (70) bonds shall mature and be payable on the 1st day of January 1929, and the third seventy (70) bonds shall mature and be payable on the 1st day of January, 1930.

The first coupon attached to each bond shall be for the interest on said bond from the date of issue until the 1st day of July 1927. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's office of the City of Indianapolis, at Indianapolis, Indiana; said bonds shall be signed by the Mayor and City Controller of the City of Indianapolis and attested by the City Clerk, who shall affix the seal of said city to each of said bonds; and the interest coupons attached to said bonds shall be authenticated by a lithographic facsimile of the signatures of the Mayor and the City Controller of said city engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof; said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller, at the time of the issue and negotiation of said bonds, to register in the book kept for that purpose all of said bonds so issued and negotiated in serial number beginning with bond Number One (1), giving also the date of their issuance, their amount, date of their maturity, rate of interest and the time and place where said interest shall be payable, and said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No. \_\_\_\_\_

\$1,000.00

UNITED STATES OF AMERICA  
CITY OF INDIANAPOLIS

Marion County                      State of Indiana

MUNICIPAL DEBT BONDS OF 1926

For value received, the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer without any relief from valuation or appraisal laws, on the 1st day of \_\_\_\_\_, 192\_\_\_\_, at the City Treasurer's office of the City of Indianapolis, Indiana, One Thousand (\$1,000.00) Dollars in lawful money of the United States of America together with interest thereon at the rate of four and one-half ( $4\frac{1}{2}\%$ ) per cent. per annum from date until paid, the first interest hereon being payable on the 1st day of \_\_\_\_\_, 192\_\_\_\_, and the interest thereafter being payable semi-annually on the 1st day of January and July, respectively,

upon presentation and surrender of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of an issue of two hundred and ten (210) bonds of One Thousand (\$1,000.00) Dollars each, numbered from one (1) to two hundred and ten (210) both inclusive of the date of the \_\_\_\_\_ day of \_\_\_\_\_, 192\_\_\_\_. Said bonds mature and shall be payable in series of seventy (70) of such bonds on the \_\_\_\_\_ day of \_\_\_\_\_, 1928, and the second seventy (70) on the \_\_\_\_\_ day of \_\_\_\_\_, 1929, and the third seventy (70) of such bonds shall mature and be payable on the \_\_\_\_\_ day of \_\_\_\_\_, 1930. The first interest coupon shall be payable on the 1st day of \_\_\_\_\_, 192\_\_\_\_. These bonds are issued by said City of Indianapolis pursuant to an ordinance of said city passed by its Common Council at the City of Indianapolis, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 1926, and to an Act of the General Assembly of the State of Indiana, entitled: "An Act concerning Municipal Corporations" approved March 6, 1905, and all acts amendatory thereof and supplemental thereto.

It is hereby certified that all conditions, acts, and things essential to the validity of this bond exist, have happened and have been done, and that all requirements of the law affecting the issuance thereof have been duly complied with and that this bond is within every debt and other limit prescribed by the constitution and laws of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Controller, and attested by the City Clerk and the corporate seal of said city to be hereunto affixed this as of the \_\_\_\_\_ day of \_\_\_\_\_, 192\_\_\_\_.

\_\_\_\_\_  
Mayor.

\_\_\_\_\_  
City Controller.

ATTEST:

\_\_\_\_\_  
City Clerk.

Section 2. Notice of the determination to sell said bonds shall be published in two daily newspapers of opposite political faith of the two leading political parties for one issue in each of such papers on the \_\_\_\_\_ day of \_\_\_\_\_, 1926, the same being the next ensuing Monday after the signing and approval of this ordinance by the Mayor. Notice of receiving bids for sale of said bonds shall be published and advertised in two daily newspapers of opposite political faith of the two leading political parties for two consecutive weeks with one insertion thereof each week in each of



said papers beginning on the day of said publication of said notice of determination, the second insertion being upon the Monday immediately following said first insertion. Sealed bids shall be received thereon by the Controller as specified in said notice of receiving bids, from which sealed bids, sale shall be made by the Controller thereof to the highest and best bidder.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a special committee appointed by the President of the Council consisting of Mr. Bartholomew, Chairman, Mr. Raub, Dr. Todd, Mr. Dorsett and Mr. Ferguson.

By the City Controller:

#### GENERAL ORDINANCE NO. 19, 1926.

AN ORDINANCE, transferring the sum of Two Thousand (\$2,000) Dollars from the Garage and Motor Fund No. 33, Department of Public Works, and reappropriating the same to Equipment Fund No. 72, Department of Public Works, and fixing a time when the same shall take effect.

WHEREAS, the City of Indianapolis, through its authorized agents failed, refused and neglected at the time of making of the Appropriation Budget Ordinance for 1926 to set aside any funds in Equipment Fund No. 72, Department of Public Works, and

WHEREAS, there are now no available funds in the Department of Public Works, in Equipment Fund No. 72,

*Now Therefore, Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Thousand (\$2,000.00) Dollars be and the same is hereby now transferred and reappropriated from Garage and Motor Fund No. 33, Department of Public Works, to Equipment Fund No. 72, Department of Public Works.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Finance Committee.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS

By Mr. Raub:

#### RESOLUTION NO. 2, 1926.

WHEREAS, the County Treasurer of Marion County, ex-officio City Treasurer of the City of Indianapolis, has in his custody a fund

derived from Barrett Law prepayments aggregating on the average more than a million dollars, which prepayed amounts cannot be applied on Barrett Law bonds prior to bond maturities; and

WHEREAS, the Treasurer claims that this fund does not come under the provisions of the Depository Law, but keeps same in banks and trust companies of his own selection and is not accounting for any interest received on said fund, and

WHEREAS, the City of Indianapolis and the Barrett Law Fund is losing the interest on said fund, thus making and continuing the deficit in the Barrett Law fund even though an annual special tax upon the whole city is being levied in a vain attempt to wipe out this increasing deficit; and

WHEREAS, we believe that the interest on said fund should be accounted for by the City Treasurer and applied to the fund to which same belongs, thus saving the taxpayers of the city approximately Fifty Thousand (\$50,000.00) Dollars per year; and

WHEREAS, the Acts of 1915, authorizing said special tax is of doubtful constitutionality, being a tax levied on the whole city to make up a deficit in an improvement fund; and

WHEREAS, the holders of Barrett Law Bonds are interested in protecting said fund which, if not supplemented by a special tax, would prove wholly insufficient to redeem outstanding improvement bonds; and

WHEREAS, the State Legislature, Acts 1915, Page 548, provided that prepayments should constitute a "special fund" held in trust by the City Treasurer and through the City Comptroller invested in other bonds and the interest applied to prevent said deficit in the Barrett Law fund; and

WHEREAS, it has been contended that this Act could have no retroactive application to bonds issued prior to 1915, yet clearly, the Act is applicable as to all improvement bond issues made subsequent to the effective date of the 1915 Act; and

WHEREAS, the Acts of 1921, page 851, which fixes the salaries and compensation of the various officials including the Treasurer of Marion County, by Section 4, expressly provides that

"Deposits must be made of all funds of any character whatsoever coming into the custody of any official named in this Act, and such funds shall be held subject to the provisions of the depository laws of the State of Indiana"; and

WHEREAS, we are informed that the Treasurer of the City of Indianapolis is making no attempt to comply with either of said Acts, which conduct and evasion if continued will cause a loss to the Barrett Law fund of an amount approximating from Forty-five Thousand (\$45,000.00) Dollars to Sixty Thousand (\$60,000.00) Dollars per year.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Indianapolis that this matter be referred to the Corporation Counsel, and that he be requested to institute such

proceedings and take such steps as he may deem necessary and proper to enforce the provisions of the laws of this State applicable to Barrett Law monies coming into the hand of the City Treasurer, and that the Corporation Counsel be requested to require the City Treasurer to deposit all Barrett Law funds, including prepayments, in the authorized depositories of the City and the investment of said prepayment monies in other bonds, all as provided by law, to the end that the taxpayers of Indianapolis may be saved approximately Fifty Thousand (\$50,000.00) Dollars annually in taxes, and to protect the integrity of outstanding Improvement Bonds in case the special tax which has been levied to make up said deficit and supplement said fund is declared illegal.

EDWARD B. RAUB

Which was read a first time and referred to the Committee on Law and Judiciary.

#### ORDINANCES ON SECOND READING

Dr. Todd called for General Ordinance No. 15, 1926, for second reading. It was read a second time.

Mr. Bartholomew arose to a point of order pointing out that inasmuch as the entire committee on City Welfare was not present and due to the fact that only a minority report was brought in to the Council that it was the desire of the majority members to postpone action on General Ordinance No. 15 until the next regular meeting in order to give other persons and organizations the opportunity to meet with the committee and discuss the ordinance.

At this time Mr. Dorsett moved that there be a recess; Dr. Todd seconded the motion. Passed.

The Council recessed from 8:00 o'clock to 8:14 o'clock.

Upon reconvening the roll was called and the same members were present as before.

Mr. Bartholomew moved that the President of the Council appoint a member of the Council to serve temporarily in the place of Mr. Springsteen on the Committee on City Welfare, which was seconded by Dr. Todd and carried.

President Moore then appointed Mr. Dorsett to fill

temporarily the place of Mr. Springsteen on this committee.

Mr. Dorsett then moved that the Council recess for five minutes, which was seconded by Dr. Todd. Carried.

The Council recessed from 8:16 o'clock to 8:20 o'clock.

Upon reconvening the roll was called and the same members were present as before.

Mr. Raub called for committee reports on General Ordinance No. 15, 1926, which were submitted as follows:

Indianapolis, Indiana, March 15, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 15, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW  
WALTER R. DORSETT  
CLAUDE E. NEGLEY  
AUSTIN H. TODD.

Indianapolis, Ind., March 15, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—The undersigned, a member of your Committee on City Welfare to whom was referred General Ordinance No. 15, 1926, beg leave to report that I have had said ordinance under consideration, and recommend that the same be not passed for the reason that said ordinance is in my opinion invalid, and because also said ordinance violates the spirit of our American institutions.

EDWARD B. RAUB.

At this time Mr. Bartholomew, in explanation of the committee's action during the recess, said that while he was in favor of delaying action on the ordinance he had never publicly or privately expressed his approval or disapproval of the ordinance; that the majority of the members of the committee had intended to postpone action but after appointing Mr. Dorsett to fill the place made



vacant by the absence of Mr. Springsteen it was decided by the committee to bring in a favorable report.

Dr. Todd then took the floor and explained that he had been the recipient of petitions totalling five thousand or more names petitioning the Council to pass the ordinance at this session and he felt this was a representative expression of the citizens of Indianapolis and the same should not be delayed further and he was in hearty accord with the decision of the committee to pass this ordinance at this session.

Mr. Raub arose to express his convictions on the ordinance, stating that he realized the situation involving the people in northwestern Indianapolis but that he felt the matter was one that should better be handled by the Inter-racial committee and in addition he felt the ordinance was unconstitutional and could be declared invalid.

On motion of Dr. Todd, seconded by Mr. Negley, General Ordinance No. 15 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 15 was read a third time and passed by the following roll call vote:

Ayes, 5, viz.: Messrs. Bartholomew, Dorsett, Negley, Todd and President Boynton J. Moore.

Noes, 1, viz.: Mr. Raub.

On motion of Dr. Todd, seconded by Mr. Negley, the Common Council of the City of Indianapolis adjourned at 8:28 p. m.

*Boynton J. Moore*

President.

Attest:

*William A. Boyce*

City Clerk.







## REGULAR MEETING

Monday, April 5, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, April 5, 1926, at 7:30 p. m., in regular session, President Boyton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and seven members, viz.: Claude E. Negley, O. Ray Albertson, Edward B. Raub, Otis E. Bartholomew, Walter R. Dorsett, Millard W. Ferguson and Austin H. Todd.

Absent: Robert E. Springsteen.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Mr. Negley.

## COMMUNICATIONS FROM THE MAYOR

March 23, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am returning to you herewith, General Ordinance No. 15, being an Ordinance "relating to the establishment by White persons of a home-residence in a Negro community, and the establishment by Negroes of a home-residence in a White community, providing a penalty for the violation thereof, and declaring a time when the same shall take effect," to which Act I have this day affixed my signature as Mayor of the City of Indianapolis.

I have signed this ordinance after careful study and deliberation and despite the fact that the entire staff of the City legal department, and other able lawyers as well, in written opinions seriously question the constitutionality of the same. Our city government, however, is divided into two distinct branches, the executive and the legislative. It is not the executive duty to pass, or even attempt so to do, upon the validity of any act of the legislative branch.

This Ordinance came before your body at your meeting of March 15, when Councilman Austin H. Todd, the author of the bill, called the measure up for action. It was passed by the votes of your President, Mr. Boynton J. Moore, Mr. Claude E. Negley, Mr. Walter R. Dorsett, Mr. Otis E. Bartholomew and Mr. Todd, all being regular members of the Common Council. There was only one dissenting vote among your body among those present at that meeting. The Ordinance was transmitted to me in the regular form and, as your body is the regularly constituted legislative branch of our city government, I am hereby and within ten days after receiving the same, returning the Ordinance to you with my signature.

This ordinance is in the nature of a zoning measure. The tenor

of the Act seems to be to preclude the possibility of either our White citizens or our Negro citizens obtaining any advantage, each over the other, in the matter of residence. I have discussed the measure with hundreds of our citizens, both White and Negro, and I have found many for the measure among both classes. It is likewise true that I have found much opposition toward it.

I do not believe there is any intention on the part of your honorable body to attempt to discriminate against any class, either White or Negro as such, in the matter of the establishment of a home-residence. It would naturally follow that if the City of Indianapolis is to continue to grow and prosper, that we should have in effect certain zoning ordinances. Our City Plan Commission was established for that very reason, that the City of Indianapolis might be carefully planned so as to assure its future growth and continued prosperity. In this connection I do not believe that it is amiss for me to quote Booker T. Washington, that great leader whose memory is so dear to the hearts and minds of the Negro race, who once said: "In all things that are purely social we can be as separate as the fingers, yet one as the hand in all things essential to mutual progress."

To those good folks and loyal American citizens who oppose this measure, I feel that if they study the Ordinance with an open mind and as the patriotic Americans they are, with an interest in their race, their home, their family and their future, they will hail with delight this step toward the solution of a problem that has long caused deep thought and serious study by members of both our races.

In conclusion, I wish to say that the Mayor is signing this Ordinance, firm in the belief that it meets with the approval of the great mass of our people, in the interest of peace and happiness on earth and good will toward mankind, ever bearing in mind his sacred duty to the people he represents, regardless of race, color or creed, and the supreme obligation that we are under to Almighty God.

Respectfully yours,

JOHN L. DUVALL,  
Mayor.

## REPORTS FROM CITY OFFICERS

April 5, 1926.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.*

Dear Sir—At the request of the City Plan Commission I am forwarding to you thirteen copies of an Ordinance to amend General Ordinance No. 114, 1922, known as the Zoning Ordinance, with the recommendation of the Plan Commission that the same be passed by the Council.

Since the Zoning Ordinance was first passed we have had considerable trouble with the provision with reference to front yard lines and several amendments have been passed changing the same. From practical experience the Commission feels that the Ordinance as originally passed took care of this provision better than is now done under the amendments. Therefore, this amendment merely reinstates the provisions of the original Zoning Ordinance with reference to front yard lines.

This Ordinance also has the endorsement of the Commissioner of Buildings whose department has more to do with the question than any other.

Very truly yours,  
CITY PLAN COMMISSION,  
MARIE VICTOR,  
Secretary.

April 5, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—The Controller must by statute present to the Common Council a financial statement for each preceding year and have same printed in pamphlet form for distribution.

As the fund from which the expense of this work is to be paid is not sufficient to pay for same, I am, therefore, handing you herewith a General Ordinance requesting the transfer of \$500.00 from the City Controller's fund, known as item No. 61, and reappropriating the same to the City Controller's fund No. 241, "Advertising and Publication."

I respectfully recommend the passage of this Ordinance.

Yours,

W. C. BUSER,  
City Controller.

April 5, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requested by Wm. A. Boyce, Jr., City Clerk, to transfer some money into two of his funds, which are practically depleted. Upon investigation I find that City Clerk account No. 212, "Postage, Telegram and Telephone," and also City Clerk account No. 36, "Office Supplies," does not have a sufficient balance to cover the expenses which are necessary to be paid from these accounts.

I, therefore, am handing you herewith a General Ordinance transferring the sum of \$200.00 from the City Controller's fund No. 61 to City Clerk fund account No. 212 and City Clerk account No. 36; \$100.00 to go to each fund.

I respectfully recommend the passage of this Ordinance.

Yours,

W. C. BUSER,  
City Controller.

April 5, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith a General Ordinance requesting that \$5,000.00 be transferred from the Department of the City Civil Engineer fund No. 21, "Team Hire," and reappropriating same to fund No. 72, "Equipment," in the same department.

I respectfully recommend the passage of this Ordinance.

Yours,

W. C. BUSER,  
City Controller.



March 30, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Your Street Commissioner, apprized that gasoline-tax-allotment for Indianapolis is now available, respectfully petitions to be relieved through that source from the effects of bad "budgeteering."

You are aware that the 1926 budget for our department was cut \$89,599.00 below the budget of 1925, but, permit us to recall that the 1925 budget, which served as a basis, had priorly been cut \$123,000.00 below normal. Thus the 1926 appropriations suffered a cut of \$89,599.00 plus \$123,000.00, a total of \$212,599.00 below the normal.

It is undisputed that long before the close of the road season our predecessors in office, because of lack of funds, were compelled to curtail the activities of the Street and Bridge Departments, and, long before the close of their administrative term work was practically suspended.

We are now suffering from the effects of these enforced in-activities of our predecessors. The total absence of the so essential fall and pre-winter attention to streets and alleys has caused a complete breakdown of from 500 to 800 miles of roadway, nearly all of which will have to be rebuilt from the bottom up. Our present fund, less than \$2.00 per city block will not permit this.

The most effective roadwork is done during the spring of the year. The ground at that time contains sufficient moisture to permit scarifying.

Grading and shaping is likewise much easier and, above all, the roadway will pack under ordinary travel. Such work, however, if to be undertaken on a larger scale than our present budget permits, will have to be planned now. Districts will have to be inspected and conditions noted; additional road machinery and tools will have to be taken from storage and placed in conditions for service; additional trucks will have to be commandeered into service, grader and tractor men will have to be engaged, etc., etc., and a number of time consuming other preliminaries must be taken up at once.

We learn that the allotment for our city is in custody of our City Controller, the discretion, however, which road building or which Bridge building and repair department shall receive the benefit from the funds, lays with the gentlemen of our Common Council. Since this fund can only be used for Bridges and Streets and since, in our city, both of these departments are under the jurisdiction of your Street Commissioner, we respectfully petition that steps be taken to make funds available at the earliest possible moment, to permit the planning of bridge and street activities on a scale commensurate with funds, if any, at our disposal.

Respectfully yours,

GEO. WOODWARD,  
Street Commissioner.

#### BRIDGE REPAIRS

Estimate of work, which, because of lack of appropriations, can not be handled during 1926:

West 10th Street bridge, blocked to traffic since September, 1925.

This bridge, an otherwise substantial structure, which will stand for twenty years if taken under repair now, is rapidly deteriorating. The flooring, nailers and underlays are in such badly rotted condition that the bridge was blocked under last administration and has remained so since. The bridge has not been painted for years and rust is beginning to eat away schew threads of hangers and brace rods, unless attention is given at an early date. Complaints from residents in section served by this bridge are pouring into our office daily.

This bridge is 400 feet long and 30 feet wide, and the entire floor will have to be torn out, including underlays and nailers. Our estimate follows:

11 nail ties 400 ft. long, 3 in. by 10 in. by 20 ft.-----	9,260 ft. Oak
Bottom floor 30 ft. by 400 ft. by 2½ in.-----	30,000 ft. Oak
Top floor 24 ft. by 400 ft. by 2 in.-----	19,200 ft. Oak

Total @ \$46.00 pr.-----	58,460 ft. Oak
Costs of lumber-----	\$2,689.16
25 kegs nails and spikes-----	110.00
Graphiting and painting-----	1,000.00
Carpenters and laborers-----	3,500.00

Total Estimated Cost-----\$7,299.16

Harding Street River Bridge, dangerous but still open to traffic.

This bridge which is still open to traffic, despite its dangerous condition, has wood-block travel-floor. Gravel trucks heavily laden cross this bridge continuously with floor waving up and down under loads. This block floor should be removed entirely and replaced by double travel-way. The bridge is 550 feet long and 20 feet wide. We estimate cost as follows:

28,000 feet 2½ in. flooring-----	\$2,265.00
20,000 feet 2 in. flooring-----	1,846.00
5,000 feet 3 by 8 joice-----	250.00
20 kegs nails, bolts and rods-----	200.00
Carpenters and laborers-----	3,500.00

Total-----\$8,055.00

Raymond Street White River Bridge, open to traffic but badly in need of repairs.

This bridge is 400 feet long and 20 feet wide, is subjected to heavy travel of heavily laden trucks and is rapidly breaking down. Repairs estimated at \$1,500.00 total will place this bridge in serviceable condition.

21st Street and Fall Creek Bridge, open to traffic but travel floor in bad condition.

This bridge is 180 feet long and 16 feet wide. The underfloor is in fair condition but travel floor is worn out and must be replaced at an early date.

Lumber, 180 ft. by 16 ft. by 2 in.—5,860 ft. @ \$45.00----	\$263.70
Nails-----	20.00
Carpenters and laborers-----	300.00

Total-----\$583.70

### West Michigan and Eagle Creek Bridge.

This bridge is open to traffic but floor is in bad state of preservation, and must be relaid to make bridge safe for auto travel. We find that about 50 per cent. of present floor timber can be salvaged and used again, and that the cost of thoroughly overhauling will not exceed \$250.00.

### Twenty-fifth Street and Canal Bridge.

This bridge is 75 feet long and 20 feet wide. Flooring of this bridge is in bad condition and needs replacing now. Approximately 4,000 feet of 2 ½ in. Oak lumber are required. We estimate the cost as near \$500.00.

### Vermont Street and Pogue Run Bridge.

This bridge is 50 feet long and 27 feet wide and requires 2 ½ in. floor and 50 joice 18 ft. by 10 in. by 2 ½ in. We estimate the total costs of these repairs to be about \$300.00.

### Cottage and Pleasant Run Bridge.

Open to traffic. This bridge is 70 ft. by 18 ft. in dimensions and underlays are rotted and bad.

We estimate the costs of repair at \$500.00.

### South Meridian Street and Pleasant Run Bridge.

Open to traffic; is 70 feet long and 24 feet wide; double flooring and joice rotted. We estimate the costs of tearing out and replacing double floor and joice at approximately \$800.00.

General repairs needed on the following bridges:

Walnut and Canal	\$200.00
Beecher and Pleasant Run	300.00
Barth Ave. and Pleasant Run	200.00
Shelby St. and Pleasant Run	400.00
Minnesota St. and Pleasant Run	200.00
Spruce St. and Pleasant Run	300.00

1,200 ft. floor for Sidewalks, 8 ft. by 70 ft., for Orphans Home.

1,000 ft. joice for Sidewalks for Orphans Home.

Prospect and Pleasant Run, 2,000 ft. floor, \$300.00.

Bolton Avenue and Pleasant Run—Concrete abutement and general repairs, \$200.00.

Ritter Avenue and Pleasant Run—General repairs, \$200.00.

This is but a part of the work needed on some of the City Bridges. The short space of time and small carpenter force did not permit a minute examination of all bridges.

Part of list of streets and roadways within the city, from which complaints are now on file in Street Commissioner's office, but which we have been unable to relieve because of lack of appropriations. This list does not include the alley complaints, numbering hundreds in addition to the above:

South Alabama from Louisiana to South St.

Adams St. at 20th St. and north.

Allen Ave. at 20th St. and north.

Arsenal Ave. at 31st St. and north and south.

Allen Ave. in 2600 block, etc., etc.

Alton Ave. at Vermont and North Sts., etc.

Broadway at 56th St., etc.

56th St. at College, etc., etc.

Laverock at College, east and west.

37th St. at Crescent, etc., etc.  
California St. at 3000 block, etc., etc. Cruft St. for many blocks.  
S. Capitol Ave. for blocks at Morris St.  
Congress Ave. and Byram St., etc., etc.  
Centennial St. from Michigan St., etc.  
Cottage from Olive, etc., etc.  
Cornell Ave. in 6100 block, etc., etc.  
Cornelius Ave. at 4600 block, etc., etc.  
Clifton St. at 37th, etc., etc.  
Exeter St. at Michigan, etc., etc.  
W. 14th St., many blocks.  
50th St. from Monon Tracks west, blocks.  
57th St. at Guilford for blocks.  
Guilford at 50th St. for blocks.  
Golay at 1300 block, etc., etc.  
Broadway at 55th St., etc., etc., for blocks.  
N. Bolton Ave. at 700 block, etc., etc.  
Brouse St. at 28th St., etc., etc.  
Bacon St. at 1000 block, etc., etc.  
Beechwood at Sheridan, etc., etc.  
Beechwood at Arlington, etc., etc.  
Bright St. at New York, etc., etc.  
Douglas St. at New York, etc., etc.  
New York St. at intersections west end.  
Boyd Ave. at Kelly St., etc., etc.  
Bosart Ave. at 21st St., etc., etc.  
Byram and Sunset, etc., etc.  
Cruft St. at Shelby for blocks.  
S. Capitol from Morris to Arizona.  
Harlan St., 200 block, etc., etc.  
Hovey St. at 31st St., etc., etc.  
Linden St. at Brudbury St., etc., etc.  
Orange St. west of Shelby St. for blocks.  
Pomander Place in 1100 block, etc., etc.  
E. Pratt St. at 3200 block, etc., etc.  
Rochester Ave. in 600 block, etc., etc.  
W. 17th St. at 1100 block, etc., etc.  
E. 17th St. at 4600 block and in both directions.  
60th St. in 600 block and in both directions.  
Shank St. from Campbell east, etc.  
W. Southern Ave. from Meridian St. for blocks.  
Batton St., 700 block north, etc.  
Brouse St., 2700 block, etc., etc.  
Bacon St. at Shelby, etc., etc.  
W. 37th St. at Barnes, etc., etc.  
13th St. from Belt R. R. west.  
Sugar Grove Ave. at 20th St., etc., etc.  
31st St. at School St., etc. for blocks.  
33rd St. at Martindale St., etc. for blocks.  
N. Webster at Lowell, etc., etc.  
Draper at Holliday, etc. for blocks.  
Deloss St. at State St., etc., etc. for blocks.  
Fernway in 2400 block, etc., etc.  
Gale St. at English Ave, etc., etc.  
Cruft St. in 1200 block, etc., etc.  
Koehne St. in 2200 block, etc., etc.



Haugh St. in 1000 block, etc., etc.  
S. Holmes in 300 block, etc., etc.  
S. Holmes in 700 block, etc., etc.  
Holaday St. in 1600 block, etc., etc.  
Hoefgen St. in 1500 block, etc., etc.  
N. Hawthorne in 500 block, etc.  
Ketcham in 1100 block, etc., etc.  
Koehne at 2700 block, etc., etc.  
Keystone and Belt R. R., etc., etc.  
Limestone St. in 300 block, etc.  
Linden St. at Cruft St., etc., etc.  
Lawrence St. in 1500 block, etc., etc.  
N. LaSalle St. in 1900 block, etc., etc.  
Linden St. at Kelly, etc., etc.  
Blue Ridge Road in 200 block, etc., etc.  
Richland Drive, 100 block, etc., etc.  
Manlove Ave., 2900 block, etc., etc.  
E. Maryland St. in 1900 block, etc., etc.  
Morgan St. at Lee St., etc., etc.  
E. Michigan St. in 2200 block, etc., etc.  
Miller St. at Blaine Ave., etc., etc.  
Madeira St. in 1200 block, etc., etc.  
Minnesota at Meridian and west.  
New Jersey St. at Parkway, etc.  
Newton St. at Gray, etc., etc.  
W. New York St. at 2000 block, etc., etc.  
Olney St. at 3200 block, etc., etc.  
W. 18th St. at 2900 block, etc., etc.  
Rural and Oxford, etc., etc.  
E. Pratt St., 800 block, etc.  
Pleasant Run Parkway, 5100 block, etc., etc.  
E. Pratt St. in 1000 block, etc., etc.  
Palmer St. at State St., etc., etc.  
Parry Ave., in 1200 block, etc., etc.  
Ritter Ave. in 1000 block, etc., etc.  
Rochester St., 500 block and north and south for blocks.  
Ray St. at Reisener St., etc., etc.  
E. Riverside Drive, 2000 block, etc., etc.  
Martindale Ave., 1300 block, etc., etc.  
Royal Ave., 4400 block, etc., etc.  
Spruce St., 1700 block, etc., etc.  
Sunset Ave., 4200 block, etc., etc.  
Scofield Ave., 3700 block, etc., etc.  
Stanton Ave. at Sherman Drive, etc., etc.  
St. Paul St. at Terrace, etc., etc.  
Sugar Grove at 1800 block, etc.  
Senate Ave. and Morris St., etc.  
S. Shepherd St., 1500 block, etc., etc.  
Terrace Ave., 1700 block, etc., etc.  
W. 21st St., 1400 block, etc., etc.  
28th St. at Hillside, etc., etc.  
32nd St. at Olney St., etc., etc.  
30th St. and Station St., etc., etc.  
28th St. at School St., etc., etc.  
E. 22nd St. in 3800 block, etc., etc.  
Tibbs Ave. at Michigan, etc., etc.  
13th St. at Oxford, etc., etc.



13th St. at Parker, etc., etc.  
 W. 26th St., 700 block, etc., etc.  
 N. Tacoma at 1100 block, etc., etc.  
 12th at Keystone, etc., etc.  
 E. 32nd at 3400 block, etc., etc.  
 13th at Kealing, etc., etc.  
 13th at Belt R. R., etc., etc.  
 W. 12th St. in 1100 block, etc., etc.  
 20th St. at Yandes, etc., etc.  
 E. 12th St. in 2600 block, etc., etc.  
 Eugene St. in 600 block, etc., etc.  
 Dexter St. in 2100 block, etc., etc.  
 Warman Ave., 1400 block, etc., etc.  
 E. Walnut at Denny, etc., etc.  
 E. Walnut at Chester.  
 E. Walnut at Wallace, etc., etc.  
 S. Belmont from Oliver Ave. to Morris St.  
 W. Michigan from Tibbs to Olin Ave.  
 N. Warman from 10th to 16th St.  
 N. Draper at 1600 block and for blocks.  
 Dexter Ave. at 1900 block, etc., etc.  
 Draper St. at 1700 block, etc., etc.  
 English Ave. at 3800 block, etc., etc.  
 Ethel Ave. at 2800 block, etc., etc.  
 49th St. at 1100 block, etc., etc.  
 59th St. from Monon R. R. west, etc., etc.  
 W. 42nd St. from 400 block for blocks.  
 Fowler St. from 800 block, etc., etc.

Our appropriation of approximately \$2 per annum per city block of roadway, does not permit us to undertake the repairs of these completely broken down roadways, and we are unable to stem the tide of steadily increasing complaints from other sections where roadways are giving way under travel.

Alley conditions are such that in many sections citizens have to leave their cars on the streets at night and in all sorts of weather. Since our meager appropriation permits no extensive repairs, most of the complaints have to be abandoned.

## REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., April 6, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 19, 1926, request more time to consider the same.

O. RAY ALBERTSON  
 OTIS E. BARTHOLOMEW  
 AUSTIN H. TODD  
 WALTER R. DORSETT  
 CLAUDE E. NEGLEY.

Indianapolis, Ind., April 5, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee on Finance to whom

was referred General Ordinance No. 18, 1926, "\$210,000 Bond Issue to pay old debts," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW  
EDWARD B. RAUB  
M. W. FERGUSON  
WALTER R. DORSETT  
AUSTIN H. TODD

Indianapolis, Ind., April 3, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We your Committee on Law and Judiciary to whom was referred Resolution No. 2, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be adopted.

EDWARD B. RAUB  
CLAUDE E. NEGLEY,  
Minority Report.

## INTRODUCTION OF GENERAL ORDINANCES

By the City Plan Commission:

### GENERAL ORDINANCE NO. 20, 1926.

AN ORDINANCE to amend General Ordinance No. 114, 1922.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Section 18 of General Ordinance No. 114, 1922, be amended to read as follows:

"Section 18. FRONT YARDS IN RESIDENCE DISTRICTS:

A. Between a front yard line as herein established and the street line no building or portion of a building other than a one-story unenclosed porch or a fence or wall not exceeding 3½ feet in height may be erected.

B. In dwelling house districts and apartment house districts front yard lines are hereby established as follows:

1. On a street frontage on either side of a street where fifty per cent (50%) of such frontage between two intersecting streets, exclusive of that part thereof which is improved with buildings at the street line and exclusive also of the side line of a corner lot, is improved with residence buildings which are set back from the street line, the front yard line shall be the distance back from the street line equal to the average distance of existing residence buildings back from the street line.

2. On a street frontage on either side of a street between two intersecting streets where the front yard line is not established by the provisions of Subdivision B1 of this Section, the distance of the front yard line back from the street line shall be twenty per cent (20%) of the average depth of the lots constituting such street frontage, but such distance back from the street line need not be more than 40 feet.

3. The words 'Existing building' as used in this Section shall be taken to mean any building for residence or business for which a building license has been lawfully issued and on which work has been begun and completed up to the first floor line.

4. The unit for determining the percentage of frontage between two intersecting streets for the purpose of determining the front yard line regulations herein established shall be the lot in a subdivision or addition comprising such frontage or a part thereof, the plat for which has been regularly filed for record in the office of the Recorder of Marion County, Indiana; or if no such plat has been so filed for record then such unit for frontage shall, for the purpose hereof, be considered to be a parcel of ground fifty (50) feet in width in the 'A1' district, and (40) feet in width in all other districts, whether all of said frontage is owned by one or more persons. Only such lots or parcels as are actually occupied by residents buildings shall be considered as improved frontage in determining the front yard line for any block or part thereof."

Section 2. That all ordinances in conflict herewith are hereby repealed.

Section 3. That this ordinance be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on City Welfare.

By the City Controller:

#### GENERAL ORDINANCE NO. 21, 1926

AN ORDINANCE, transferring the sum of Five Hundred (\$500.00) Dollars in the department of the City Controller from the fund known as Item No. 61, therein of the Controller's fund, "Interest on Bonded Debt," and reappropriating the same to the fund known as Item No. 241 in the department of the City Controller, Controller's fund, "Advertising and Publication," and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Five Hundred (\$500.00) Dollars in the fund known as Item No. 61, of the Controller's fund, "Interest on Bonded Debt," in the department of the City Controller be and the same is hereby transferred and reappropriated to the fund known as Item No. 241, in the department of the City Controller, Controller's fund, "Advertising and Publication."

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Controller:

#### GENERAL ORDINANCE NO. 22, 1926

AN ORDINANCE, transferring the sum of Two Hundred (\$200.00)

Dollars in the department of the City Controller from the fund known as Item No. 61, "Interest on Bonded Debt," Controller's fund, and reappropriating the same to the funds as follows: One Hundred (\$100.00) Dollars of the same to the fund known as Item No. 212, "Postage, Telegraph and Telephone," and One Hundred (\$100.00) Dollars of the same to the fund known as Item No. 36, "Office Supplies," said funds being known as Item No. 212 and Item No. 36 in and of the department of the City Clerk of the City of Indianapolis, and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indianapolis.*

Section 1. That the sum of Two Hundred (\$200.00) Dollars in the department of the City Controller from the fund known as Item No. 61, "Interest on Bonded Debt," Controller's fund in the department of the City Controller, be and the same is hereby transferred and reappropriated to the funds as follows: One Hundred (\$100.00) Dollars of the same to the fund known as Item No. 212, "Postage, Telegraph and Telephone," and One Hundred (\$100.00) Dollars of the same to the fund known as Item No. 36, "Office Supplies," said funds being known as Items No. 212 and No. 36, in and of the department of the City Clerk of the City of Indianapolis.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Controller:

#### GENERAL ORDINANCE NO. 23, 1926

AN ORDINANCE, transferring the sum of Five Thousand (\$5,000.00) Dollars in the Department of the City Civil Engineer from the fund known as Item No. 21, Team Hire, and reappropriating the same to the fund known as Item No. 72, Equipment, in the Department of the City Civil Engineer, and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Five Thousand (\$5,000.00) Dollars in the fund known as Item No. 21, Team Hire, in the Department of the City Civil Engineer be and the same is hereby transferred and reappropriated to the fund known as Item No. 72, Equipment, in the Department of the City Civil Engineer.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By Mr. Dorsett:

#### RESOLUTION NO. 3, 1926

WHEREAS the General Assembly of the State of Indiana in its



regular 74th Session, A. D. 1925, enacted a General Law, amending Sections 1 and 6 of an act entitled:

"An Act imposing a license fee on the use of gasoline in the State of Indiana, providing for the payment, collection and distribution thereof, prescribing certain exemptions therefrom and prescribing penalties for the violation thereof," approved March 9, 1923, and declaring an emergency and,

WHEREAS, Section 2 of said amendment, under caption and title: "Gasoline Fund—Highway Fund—Distribution to Counties, Cities and Towns," allots certain funds for Street and Bridge maintenance and repairs to the corporate City of Indianapolis, and

WHEREAS said act, as amended, vests certain directing powers in the Common Council of the corporate City of Indianapolis, to direct and designate the department or departments to which be intrusted the duty to make such bridge repairs and such street repairs said section of said act providing as follows:

"The remaining one-fourth so credited to the county, cities and gasoline fund shall be distributed to the cities and incorporated towns of the State according to the proportion that each such city or incorporated town bears in point of population, according to the last preceding United States census, to the combined population of all such cities and incorporated towns of the State. All moneys so distributed to the several cities and incorporated towns of the State shall constitute a special street fund of each such city or incorporated town and shall be used as directed by the Common Council of such city or board of trustees of such town in the maintainance and repair of any street or streets or bridges within the corporate limits of such cities or towns, preference being given to those streets connecting with State highways: PROVIDED, That if the State Highway Commission shall establish a State highway in such county, or any city or incorporated town therein be beneficially affected, then in that event, the board of county commissioners of such county or Common Council of such city or board of trustees of such incorporated town may make such contributions to the State Highway Commission to aid in the construction of such State highway as they may deem proper. Such contributions shall be made in the manner provided for in Chapter 122 of the acts of the General Assembly of 1923," and

WHEREAS the street repairs department and the bridge repairs department in the incorporated city of Indianapolis are both under the supervision of the Street Commissioners Department, and

WHEREAS said Street Commissioner's Department has suffered such enormous cuts in the finances of said department as to render it nearly impotent and unable to render any service in the upkeep and repairs of streets and bridges, worth mentioning, therefore be it

RESOLVED, That the City Controller of the City of Indianapolis be, and is hereby directed and authorized to place the funds allotted to the City of Indianapolis from such gasoline tax to the credit of the Street Commissioners Department such fund to be known as "Street and Bridge Repair Fund" and to be drawn against for Road and Bridge maintenance and repairs in amount or amounts as needed, to carry on the work of bridge and street repairs in an economical and workman-like manner. Such expenditures to include the hiring of supervisory and clerical help, if required and any other expenditures for work and labor needed, team hire, as well as materials and sup-



plies necessary to accomplish the purpose of this resolution, and further

PROVIDED, However, that a detailed monthly statement be submitted to the Common Council of the City of Indianapolis, showing in detail the work accomplished at the end of each month, together with a statement of the various expenditures, said report to be signed by the Street Commissioner and attested under oath by the Chief Clerk of the Street Commissioners Department, and

WHEREAS, an emergency exists, that this resolution be in full force and effect upon its passage.

WALTER R. DORSETT.

Which was read a first time and referred to the Committee on Board of Works.

#### ORDINANCES ON SECOND READING

Mr. Bartholomew called for General Ordinance No. 18, 1926, for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 18, 1926, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 18 was read a third time and passed by the following vote:

Ayes, 8, viz: Messrs. Negley, Albertson, Raub, Bartholomew, Dorsett, Ferguson, Todd and President Boynton J. Moore.

Mr. Raub called for Resolution No. 2, 1926, for second reading. It was read a second time.

On motion of Mr. Raub, seconded by Mr. Negley, Resolution No. 2 was ordered engrossed, read a third time and placed upon its passage. When the motion was put to a vote the Council was deadlocked in the following roll call vote:

Ayes, 4, viz.: Messrs. Raub, Ferguson, Albertson and Negley.

Noes, 4, viz.: Messrs. Dorsett, Todd, Bartholomew and Moore.

In explanation of his vote Mr. Raub stated that this matter was one he had long given consideration, in fact, he had been interested in the subject since the 1915

Legislature amended the depository law. That he felt that that law was still effective and that the Corporation Counsel should be instructed to take proper legal steps to see that the City Treasurer should conform to the intent of the depository law in regard to all public funds in his custody.

Dr. Todd stated that he was informed that Mr. Orr of the State Board of Accounts was investigating the matter and that any action of the present Council might be embarrassing to the State Board of Accounts and inasmuch as he felt that this was a matter for the Legislature he was not in favor of Mr. Raub's resolution.

Mr. Albertson announced his approval of the Resolution and stated he felt it was a duty of the Councilmen to support the measure out of respect to the interests of the taxpayers.

Mr. Bartholomew said that while he was in hearty accord with any way to save money for the City he felt the Council was without any authority in the matter and it should be left over until Legislature convened.

Mr. Dorsett in a brief talk stated that in his opinion the Resolution was prompted by political motives and if there was no other vote than his it would be cast against the Resolution.

Mr. Negley in a statement issued following the Council meeting stated that "for several years there has been agitation regarding the disposition of Barrett law funds in the custody of the City Treasurer and there seems to have been considerable difference of opinion among the legal fraternity as to the interpretation of the State law on the subject.

"My vote for Mr. Raub's resolution calling upon the Corporation Counsel to investigate the City's interest in the matter was prompted by a sincere desire to stand on the campaign pledges which I made to the public during my campaign for Councilman. Regardless of the fact

that the resolution was introduced by a Democratic member of the Council, I believe that it is a meritorious measure deserving the careful and favorable consideration of the City Council. The fact that the resolution merely refers the matter to the attention of the Corporation Counsel does not indicate that the Common Council is playing partisan politics nor is attempting to usurp the power of the State Legislature.

"Since I am informed that the yearly amount involved in interest exceeds \$50,000 if the Corporation Counsel enter suit in the name of the city of Indianapolis to recover such an amount this year then we could, by our action in the Council, save this sum of money for the taxpayers before the next session of the Legislature, which will not meet until 1927. And to this I believe all taxpayers will approve of my action regardless of political faith or influence."

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Common Council of the City of Indianapolis adjourned at 9:00 o'clock p. m.

*Boydton J. Moore*

President.

Attest:

*William A. Boyce.*

City Clerk.

## REGULAR MEETING

Monday, April 19, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, April 19, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and seven members, viz.: Otis E. Bartholomew, Claude E. Negley, Robert E. Springsteen, Millard W. Ferguson, Edward B. Raub, Austin H. Todd and O. Ray Albertson.

Absent: Walter R. Dorsett.

The reading of the journal was dispensed with on motion of Mr. Raub, seconded by Dr. Todd.

## COMMUNICATIONS FROM THE MAYOR

April 8, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature General Ordinance No. 18, 1926—"An Ordinance, authorizing the City Controller to make a permanent loan or loans in the sum of \$210,000.00 for the purpose of securing money to be used for the purposes of the payment of corporate debts of said city accrued or incurred before the first day of January, 1926, by the the last preceding administration and thus in and for the legitimate exercise of the corporate power of said city."

Respectfully yours,

JOHN L. DUVALL,  
Mayor.

## REPORTS FROM CITY OFFICERS

April 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith a General Ordinance transferring the sum of Seventy-five (\$75.00) Dollars from the fund known as Item No. 53, "Refunds, Awards and Indemnities," and reappropriating the same to Item No. 21, "Communication and Transportation," all in the Department of Law.

I respectfully recommend the passage of this Ordinance.

Respectfully,

W. C. BUSER,  
City Controller.

April 19, 1926.

*Mr. William C. Buser, City Controller, City of Indianapolis, Indiana.*

Dear Sir—I am handing you herewith copies of an Ordinance asking that the sum of Seventy-five (\$75.00) Dollars be transferred from Item No. 53, "Refunds, Awards and Indemnities," and reappropriating the same to Item No. 21, "Communication and Transportation," in the Department of Law.

I respectfully request that you recommend the passage of this Ordinance to the Common Council.

Respectfully submitted,

ALVAN J. RUCKER,  
Corporation Counsel.

### REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., April 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 19, 1926, beg to report that we have had said ordinance under consideration, and recommend that the same be passed after being amended to read Fund 38 instead of 33 and Fund No. 71 instead of Fund No. 72.

OTIS E. BARTHOLOMEW  
AUSTIN H. TODD  
CLAUDE E. NEGLEY  
O. RAY ALBERTSON, Chairman

Indianapolis, Ind., April 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 21, 1926, to transfer \$500.00 to Finance Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW  
AUSTIN H. TODD  
CLAUDE E. NEGLEY  
O. RAY ALBERTSON, Chairman

Indianapolis, Ind., April 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 22, 1926, to transfer \$200.00 to City Clerk's Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW  
AUSTIN H. TODD  
CLAUDE E. NEGLEY  
O. RAY ALBERTSON, Chairman



Indianapolis, Ind., April 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 23, 1926, to transfer \$5,000 to the City Engineer's Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW  
AUSTIN H. TODD  
O. RAY ALBERTSON, Chairman

Indianapolis, Ind., April 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare, to whom was referred Ordinance No. 20, 1926, entitled An Ordinance to amend General Ordinance No. 114, 1920, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

AUSTIN H. TODD  
OTIS E. BARTHOLOMEW, Chairman  
EDWARD B. RAUB  
CLAUDE E. NEGLEY.

Indianapolis, Ind., April 3, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Health and Charities to whom was referred General Ordinance No. 13, 1926, being an ordinance to regulate, beg leave to report that we have had said ordinance under consideration, and recommend that same be not passed.

AUSTIN H. TODD  
OTIS E. BARTHOLOMEW  
EDWARD B. RAUB  
ROBT. E. SPRINGSTEEN.

Indianapolis, Ind., April 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Works, to whom was referred Resolution No. 3, 1926, placing any funds derived from the State gasoline tax to the credit of the Street Commissioner's Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

O. RAY ALBERTSON  
O. E. BARTHOLOMEW  
AUSTIN H. TODD.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the City Controller:

## GENERAL ORDINANCES NO. 24, 1926

AN ORDINANCE, transferring the sum of Seventy-five (\$75.00) Dollars in the Department of Law from the fund known as Item No. 53, therein, "Refunds, Awards and Indemnities," and reappropriating the same to the fund known as Item No. 21, "Communication and Transportation," in the Department of Law, and declaring a time when the same shall take effect:

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Seventy-five (\$75.00) Dollars in the fund known as Item No. 53, "Refunds, Awards and Indemnities," in the Department of Law be and the same is hereby transferred and reappropriated to the fund known as Item No. 21, "Communication and Transportation," in the Department of Law.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Finance Committee.

By Otis E. Bartholomew:

## GENERAL ORDINANCE NO. 25, 1926

AN ORDINANCE to regulate the retail sale and distribution of coal and coke, in the City of Indianapolis; To provide for the licensing of dealers in such fuel products; To provide for delivery tickets giving the weight and description thereon; To provide for truthfully describing such products in advertising and selling; Prescribing a penalty for violation thereof; declaring an emergency, and designating a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That no person, firm, corporation, association or organization of any kind, shall engage in the distribution or retail sale, or in offering for sale or distribution, or in selling and distributing or attempting to distribute, to the ultimate consumer, within the City of Indianapolis, any bituminous coal, anthracite coal, or coke (each and all of which are hereinafter known and termed as fuel, and such person, firm, corporation, association or organization shall be known as a fuel merchant), without having first duly secured a license for that purpose, as hereinafter provided by this ordinance.

Provided, that this ordinance shall not apply to the sale of fuel to recognized and regularly licensed coal dealers in car load lots, nor to the sale of fuel in car load lots to industries, institutions, firms, individuals, or other purchasers that receive delivery of such fuel for their own use and consumption, without it being necessary to reweigh for proper delivery to them, and

PROVIDED FURTHER that this ordinance shall not apply to so

called basket peddlers selling in lots of less than one hundred pounds.

**Section 2. APPLICATION FOR A LICENSE.** Any person, firm, corporation or association desiring to conduct or engage in the business of a fuel merchant, or to engage in the sale or distribution of coal at retail, shall make application in writing to the City Controller for a license so to do, on blanks which shall be supplied for that purpose, specifying and giving the following information:

The name under which such business is to be operated.

The address of the principal office from which such business will be conducted.

Nature of the organization, as to whether or not the applicant is a person, firm, corporation or association.

The name of the owner or officers of such organization.

The location or address of all storage or delivery yards.

Location of scales used and their capacity; Number of railroad switches, and the name of railroads serving same.

That applicant is familiar with the terms of this ordinance regulating the sale and distribution of fuel.

That applicant possesses, leases or has continuous access to sufficient and necessary scales and weighing facilities that have been sealed by Inspector of Weights and Measures.

**Section 3. LICENSE FEE.** The license fee for a fuel merchant's license, as contemplated in this ordinance, shall be \$50.00, plus \$15.00 for each and every additional branch delivery yard and office operated and maintained for the sale and distribution of coal. All moneys received from the sale of such licenses shall be placed to the credit and use of the current expense fund of this city.

**Section 4. SERIAL NUMBER, FORM, TRANSFER, AND TERM OF LICENSE.** Each fuel merchant's license shall have a serial number affixed and given by the City Controller, which serial number may be retained by the licensee from year to year, provided the license of said fuel merchant is properly renewed and granted. Said license shall authorize such person, firm, corporation or association to engage in the retail business of fuel merchant as hereinbefore set out and defined, for a period of one year from the date of its issuance. No license shall be granted for a period of less than one year, and the full year's license fee shall be paid in each case. Under no circumstances shall any license be transferable or assignable.

**Section 5. DISPLAYING LICENSE.** Each licensee operating under this ordinance, shall place and maintain conspicuously upon each delivery vehicle used, the serial number of said license, and the name of the said individual, firm, corporation, or association, in letters and figures no less than three inches in height.

**Section 6. DELIVERY TICKETS AND DUTIES.** It shall be unlawful for any person, firm, corporation or association to sell or deliver, or attempt to sell or deliver within this city, any coal or coke, without providing the driver of the wagon or other conveyance containing any such fuel, with duplicate delivery tickets for each lot of fuel contained therein, and without each of said duplicate tickets bearing thereon clearly, plainly and legibly, each of the following items pertaining to the lot of fuel in said wagon or conveyance to which said tickets shall relate: (a) The date of such delivery; (b) The name and address of the person, firm, corporation or association selling and delivering or attempting to sell or deliver

such fuel; (c) The name or identifying initials of the party who weighed it; (d) The total weight of said wagon or conveyance and its contained fuel; (e) The net weight of said fuel; (f) The name and address of the person, firm, corporation or association to whom such fuel is to be delivered; (g) Either the true, usual and customary name of such fuel, or the name of the State from which it comes, together with the name or number of the district, mine or seam from which it was mined; (h) A description which will clearly indicate the size of its preparation and the character of its preparation (i. e. whether six inch lump, four inch lump, egg, nut, pea, mine run, shovelled lump, slack or screenings, etc.). Before unloading any of a lot of fuel therefrom, it shall be the duty of the driver of said wagon or conveyance to deliver one of said duplicate delivery tickets, pertaining to the lot of fuel to be delivered, to the purchaser thereof, or to the party to whom delivery thereof is to be made; and upon any demand or request of such purchaser or party, or of any police officer, or of the Inspector of Weights and Measures of this city or his deputy, it is hereby made the lawful duty of said driver and of said seller to promptly convey said loaded wagon or conveyance to a public scale that may then be agreed upon by the parties present in interest, or, in the absence of such agreement, to a public scale selected by any such officer or vendee or his representative, or to any private scale whose owner consents to the provision hereof, where said driver shall deliver, to any such officer, or to the person in charge of said scale, one of said duplicate delivery tickets, and where the total weight of said wagon or conveyance and its contained fuel shall be ascertained, and to thereupon deliver said fuel to the place where its delivery is to be made, and to thereupon forth with return to said same scale and permit the weight of said wagon or conveyance to be ascertained and the verification of said weights shown by said delivery ticket completed.

If, upon such verification, the net weight of such fuel, as shown by said ticket pertaining thereto, be found true and correct, such vendee shall pay the cost of and incident to such verification; otherwise such cost shall be born by the vendor of said fuel; provided however, that in the event such verification discloses the net weight of said fuel to be incorrect the vendor of such fuel may, within 24 hours after such verification, duly request an inspection of his scale and the scale used in such verification, and if such inspection discloses that the scale of said vendor was correct and said verification scale incorrect, the owner of said verification scale shall pay the cost of said verification and inspection of both scales; and provided further, that if both said scales be found by said inspection to be inaccurate in any substantial respect, in the judgment of said inspector, said vendor shall pay the cost of said verification, and the owner of each of said scales shall pay the cost of said inspection and resealing of his own scales; and this section shall be cumulative with all other ordinances of this city and of the laws of the State in such respects.

**Section 7. SUBSTITUTION AND MIXING PROHIBITED AND EXCEPTIONS.** The substitution and, or mixing of fuel, is hereby declared illegal when the fuel has been sold as such, is correctly understood by the purchaser, and clearly indicated on the delivery ticket as provided in Section 6 of this ordinance.

**Section 8. DESCRIBING AND ADVERTISING FUEL.** It is hereby declared unlawful for any person, firm, corporation or asso-



ciation to sell, or offer for sale, to deliver, or attempt to deliver, or to advertise in any newspaper, circular letter, handbill, or to advertise in any way, any coal, coke or fuel by any name which is not the true, usual and customary name of such fuel; or the name of the State, and district, mine or seam from which it comes, together with a description which will clearly indicate the size of its preparation and the character of its preparation (such as mine run, shovelled lump, slack, etc.)

Section 9. RECORD OF TARE WEIGHTS. Every licensee operating under this ordinance shall compute delivery ticket weight by using the last tare weight of delivery equipment taken at least once a day for every day of dry weather and twice a day in rainy or wet weather; daily record of tare weights of equipment to be kept for reference by dealer, covering a period of the past ten days at all times; all dealer's daily tare weight records of hauling equipment to be subject to inspection of City Inspector of Weights and Measurers, or his deputies.

Section 10. PENALTIES PRESCRIBED. Any individual, firm, corporation or association who shall violate any provision of this ordinance, shall, upon conviction for the first offense be subject to a fine of not less than Twenty-five (\$25.00) Dollars, nor more than One Hundred (\$100.00) Dollars, and for the second or any subsequent offense to be subject to a fine of not less than Fifty (\$50) Dollars nor more than Two Hundred (\$200.00 Dollars), and such license shall be revoked. Each individual sale or transaction of any quantity shall constitute a separate and distinct offense.

Section 11. REPEALING ORDINANCES WHICH CONFLICT. All ordinances or parts of ordinances which may be in conflict with this ordinance, are, insofar as they so conflict, hereby repealed.

Section 12. CONSTITUTIONAL PROVISION. If any section or part of any section of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, then the remainder shall not be affected thereby, and as to such other provisions, shall continue in full force and effect.

Section 13. EMERGENCY DECLARED. WHEREAS, an emergency has been declared to exist, this ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the City Welfare Committee.

#### ORDINANCES ON SECOND READING

Mr. Bartholomew called for General Ordinance No. 19, 1926, for second reading. It was read a second time.

Mr. Albertson presented the following written motion which was read:

Indianapolis, Ind., April 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

I move that General Ordinance No. 19, 1926, be amended by



striking out the figure 33 wherever it appears in said ordinance, and inserting in lieu thereof the figure 71.

O. RAY ALBERTSON,  
Councilman.

The above motion was seconded and carried unanimously.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 19, 1926, was ordered engrossed, read a third time and placed upon its passage as amended.

General Ordinance No. 19 was read a third time and passed unanimously by roll call vote as amended.

Mr. Bartholomew called for General Ordinance No. 20 for second reading. It was read a second time.

On motion of Mr. Raub, seconded by Mr. Negley, General Ordinance No. 20 was ordered, engrossed, read a third time and placed upon its passage.

General Ordinance No. 20 was read a third time and passed unanimously by roll call vote.

Mr. Bartholomew called for General Ordinance No. 21 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 21 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 21 was read a third time and passed unanimously by roll call vote.

Mr. Bartholomew called for General Ordinance No. 22 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 22 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 22 was read a third time and passed unanimously by roll call vote.

Mr. Bartholomew called for General Ordinance No. 23 for second reading. It was read a second time.

On motion of Mr. Raub, seconded by Mr. Negley, further consideration of General Ordinance No. 23 was

postponed until the next regular session of the Council.

The above motion was carried unanimously.

Dr. Todd called for General Ordinance No. 13 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Bartholomew, General Ordinance No. 13 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 13 was read a third time and failed to pass by the following vote:

Ayes, 2, viz: Messrs. Negley and Ferguson.

Noes, 6, viz: Messrs. Bartholomew, Springsteen, Raub, Todd, Albertson and President Boynton J. Moore.

#### ORDINANCES ON THIRD READING

Mr. Raub called for Resolution No. 2, 1926.

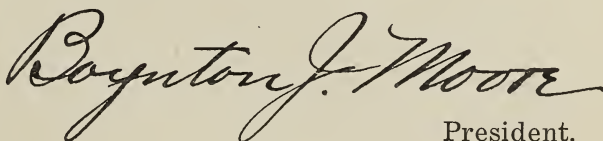
Resolution No. 2 was read a third time and passed by the following vote:

Ayes, 5, viz.: Messrs. Negley, Springsteen, Raub, Ferguson and Albertson.

Noes, 3, viz.: Messrs. Bartholomew and Todd, and President Boynton J. Moore.

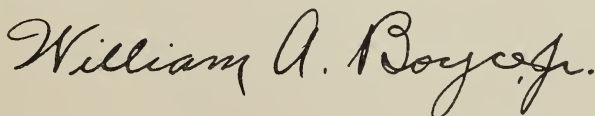
Immediately after the vote was taken Messrs. Bartholomew and Todd and President Moore changed their vote from no to aye.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Common Council of the City of Indianapolis adjourned at 8:35 o'clock p. m.



President.

Attest:



City Clerk.









## REGULAR MEETING

Monday, May 3, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, May 3, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and seven members, viz.: Robert E. Springsteen, Edward B. Raub, O. Ray Albertson, Claude E. Negley, Walter R. Dorsett, Otis E. Bartholomew and Austin H. Todd.

Absent: Millard W. Ferguson.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Mr. Dorsett.

## COMMUNICATIONS FROM THE MAYOR

April 20, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to William A. Boyce, Jr., City Clerk, General Ordinance No. 20, 1926. An Ordinance to amend General Ordinance No. 114, 1922. Be it ordained by the Common Council of the City of Indianapolis, that Section 18 of General Ordinance No. 114, 1922, be amended to read as follows: "Section 18. FRONT YARDS IN RESIDENCE DISTRICTS: (a) Between a front yard line as herein established and the street line no building or portion of a building rather than a one-story unenclosed porch or a fence or wall not exceeding 3½ feet in height may be erected."

JOHN L. DUVAL,  
Mayor.

April 20, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to William A. Boyce, Jr., City Clerk, General Ordinance No. 21, 1926.—"An Ordinance transferring the sum of Five Hundred (\$500.00) Dollars in the department of the City Controller from the fund known as Item No. 61, therein of the Controller's fund, 'Interest on Bonded Debt,' and reappointing the same to the fund known as Item No. 241, in the department of the City Controller, Controller's fund, 'Advertising and Publication,' and declaring a time when the same shall take effect."

General Ordinance No. 22, 1926—"An Ordinance, transferring

the sum of Two Hundred (\$200.00) Dollars in the department of the City Controller from the fund known as Item No. 61, 'Interest on Bonded Debt,' Controller's fund, and reappropriating the same to the funds as follows: One Hundred (\$100.00) Dollars of the same to the fund known as Item No. 212, 'Postage, Telegraph and Telephone,' and One Hundred (\$100.00) Dollars of the same to the fund known as Item No. 36, 'Office Supplies,' said funds being known as Item No. 212 and Item No. 36 in and of the department of the City Clerk of the City of Indianapolis, and declaring a time when the same shall take effect."

JOHN L. DUVALL,  
Mayor.

## REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., May 3, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, Your Committee on City Welfare to whom was referred General Ordinance No. 25, 1926: "Retail sale and distribution of coal and coke," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

OTIS E. BARTHOLOMEW, Chairman  
ROBT. E. SPRINGSTEEN  
AUSTIN H. TODD  
CLAUDE E. NEGLEY  
EDWARD B. RAUB.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By Mr. Dorsett:

### GENERAL ORDINANCE NO. 26, 1926.

AN ORDINANCE to repeal Sections 381 and 382 of General Ordinance numbered 121, being an ordinance entitled "An Ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances," being known as "Municipal Code of Indianapolis, 1925."

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

That Sections 381 and 382 of General Ordinance No. 121, entitled "An Ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances," and being known as "Municipal Code of Indianapolis, 1925," be and they are each hereby repealed.

This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Parks.

By Mr. Bartholomew:

GENERAL ORDINANCE NO. 27, 1926.

AN ORDINANCE, prohibiting the use by Interurban Companies between the hours of 5:00 a. m. and 12:00 p. m. of more than one freight trailer operating over and on the streets of the City of Indianapolis, fixing a penalty for the violation of the same, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That it shall be unlawful for any interurban or other electrically operated utility operating in and over the streets of the City of Indianapolis to draw more than one trailer between the hours of 5:00 a. m. and 12:00 p. m.

Section 2. That any corporation, firm, partnership or individual violating the same shall be fined in any sum not to exceed Fifty (\$50.00) Dollars, or imprisoned in the Marion County Jail for a period not to exceed thirty days, or both.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Board of Safety.

By Mr. Dorsett:

GENERAL ORDINANCE NO. 28, 1926.

AN ORDINANCE, amending Section 476 of General Ordinance No. 121, an ordinance entitled, "An Ordinance creating the government of the City of Indianapolis providing penalties for its violation and with stated exceptions, repealing all former ordinances," being known as "Municipal Code of Indianapolis, 1925."

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Section 476 of General Ordinance No. 121, paragraph 15, pertaining to Wholesale Junk Dealers' annual license fees which reads "wholesale junk dealer, one hundred and fifty dollars," be amended to read "wholesale junk dealer, one thousand dollars."

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a special committee appointed by the President of the Council consisting of Mr. Negley, Chairman; Mr. Ferguson, Mr. Bartholomew, Dr. Todd and Mr. Dorsett.

By Dr. Todd:

GENERAL ORDINANCE NO. 29, 1926.

AN ORDINANCE, prohibiting the use of sidewalks for the sale, display, or storage of goods, wares, merchandise, fruits or vegetables, providing a penalty for the violation of the same, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That any person, firm or corporation using the public sidewalks in the City of Indianapolis for the purpose of selling, displaying, or storing any fruits, vegetables, goods, wares or merchandise shall be held to be in violation of this ordinance.

Section 2. Any individual, firm or corporation found guilty of the violation of this ordinance shall be fined in any sum not to exceed Fifty (\$50.00) Dollars, or sentenced to the Marion County Jail for not more than thirty days, or both.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on City Welfare.

INTRODUCTION OF MISCELLANEOUS BUSINESS

By Mr. Raub:

RESOLUTION NO. 4, 1926.

WHEREAS the General Assembly of the State of Indiana Acts 1925, p. 367, enacted a general law, amending Sections 1 and 6 of the Act of 1923, providing for a tax on gasoline; and

WHEREAS, Section 2 of said amendment allots a certain portion of said funds to cities and towns, to be used to maintain and repair streets or bridges, but preference to be given to those streets connecting with State Highways; and

WHEREAS, said Act provided that said fund shall be used as directed by the Common Council; and

WHEREAS, it is the opinion of this Council that said funds should be applied to repair, or resurface the following streets in the City of Indianapolis:

(a) South Meridian Street from Belt Railroad to Pleasant Run Boulevard.

(b) East Washington Street from Audubon Road to Sheridan Drive.

(c) North West Street from about Eleventh Street north to the Canal; and

WHEREAS, the thoroughfare plan heretofore adopted by this Council provides that North West Street shall be one of the major thoroughfares of the City of Indianapolis, and requires the straightening and extending of North West Street across the canal and changing the location of the bridge across the canal.



NOW, THEREFORE, BE IT RESOLVED that the Board of Works of the City through the City Engineer prepare plans and specifications, together with estimates of the costs for the repairs and improvements above mentioned, including the required expense of moving the canal bridge; and be it further

RESOLVED that said Board make such recommendations as it may deem proper in connection with said work and make report to this Council of the City's share of the cost of said repairs and improvements; and be it further

RESOLVED that this Council will, on receiving said report and estimate, give same due consideration, and by proper procedure direct that the funds now in the treasurer's hands shall be applied in whole or in part toward said work or portions thereof, all as this Council may decide.

Resolution No. 4, 1926, was unanimously adopted on first reading on motion of Mr. Raub, seconded by Mr. Bartholomew.

#### ORDINANCES ON SECOND READING

Mr. Bartholomew called for General Ordinance No. 25, 1926, for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Raub, General Ordinance No. 25 was ordered amended to read as follows:

#### GENERAL ORDINANCE NO. 25, 1926 (As Amended)

AN ORDINANCE, to regulate the retail sale and distribution of coal and coke, in the City of Indianapolis; To provide for the licensing of dealers in such fuel products; To provide for delivery tickets giving the weight and description thereon; To provide for truthfully describing such products in advertising and selling; Prescribing a penalty for violation thereof; declaring an emergency, and designating a time when the same shall take effect.  
*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That no person, firm, corporation, association or organization of any kind, shall engage in the distribution or retail sale, or in offering for sale or distribution, or in selling and distributing or attempting to distribute, to the ultimate consumer, within the City of Indianapolis, any bituminous coal, anthracite coal, or coke (each and all of which are hereinafter known and termed as fuel, and such person, firm, corporation, association or organization shall be known as a fuel merchant), without having first duly secured a license for that purpose, as hereinafter provided by this ordinance.

PROVIDED, that this ordinance shall not apply to the sale of fuel to recognized and regularly licensed coal dealers in car load lots, nor to the sale of fuel in car load lots to industries, institutions, firms, individuals, or other purchasers that receive delivery of



such fuel for their own use and consumption, without it being necessary to reweigh for proper delivery to them, and

PROVIDED FURTHER that this ordinance shall not apply to so-called basket peddlers selling in lots of less than one hundred pounds.

Section 2. APPLICATION FOR A LICENSE. Any person, firm, corporation or association desiring to conduct or engage in the business of a fuel merchant, or to engage in the sale or distribution of coal at retail, shall make application in writing to the City Controller for a license so to do, on blanks which shall be supplied for that purpose, specifying and giving the following information:

The name under which such business is to be operated.

The address of the principal office from which such business will be conducted.

Nature of the organization, as to whether or not the applicant is a person, firm, corporation or association.

The name of the owner or officers of such organization.

The location or address of all storage or delivery yards.

Location of scales used and their capacity; Number of railroad switches, and the name of railroads serving same.

That applicant is familiar with the terms of this ordinance regulating the sale and distribution of fuel.

That applicant possesses, leases or has continuous access to sufficient and necessary scales and weighing facilities that have been sealed by the Inspector of Weights and Measures.

Section 3. LICENSE FEE. The license fee for a fuel merchant's license, as contemplated in this ordinance, shall be \$50, plus \$15 for each and every additional branch delivery yard and office operated and maintained for the sale and distribution of coal. All moneys received from the sale of such licenses shall be placed to the credit and use of the current expense fund of this city.

Section 4. SERIAL NUMBER, FORM, TRANSFER, AND TERM OF LICENSE. Each fuel merchant's license shall have a serial number as affixed and given by the City Controller, which serial number may be retained by the licensee from year to year, provided the license of said fuel merchant is properly renewed and granted. Said license shall authorize such person, firm, corporation or association to engage in the retail business of a fuel merchant as hereinbefore set out and defined, for a period of one year from the date of its issuance. No license shall be granted for a period of less than one year, and the full year's license fee shall be paid in each case. Under no circumstances shall any license be transferable or assignable.

Section 5. DISPLAYING LICENSE. Each licensee operating under this ordinance, shall place and maintain conspicuously upon each delivery vehicle used, the serial number of said license, and the name of the said individual, firm, corporation, or association, in letters and figures no less than three inches in height.

Section 6. DELIVERY TICKETS AND DUTIES. It shall be unlawful for any person, firm, corporation or association to sell or deliver, or attempt to sell or deliver within the city, any coal or coke, without providing the driver of the wagon or other conveyance containing any such fuel, with duplicate delivery tickets for each lot of

fuel contained therein, and without each of said duplicate tickets bearing thereon clearly, plainly and legibly, each of the following items pertaining to the lot of fuel in said wagon or conveyance to which said tickets shall relate: (a) The date of such delivery; (b) The name and address of the person, firm, corporation or association selling and delivering or attempting to sell or deliver such fuel; (c) The name or identifying initials of the party who weighed it; (d) The total weight of said wagon or conveyance and its contained fuel; (e) The net weight of said fuel; (f) The name and address of the person, firm, corporation or association to whom such fuel is to be delivered; (g) Either the true, usual and customary name of such fuel, or the name of the state from which it comes, together with the name or number of the district, mine or seam from which it was mined; (h) A description which will clearly indicate the size of its preparation and the character of its preparation (i. e. whether six-inch lump, four-inch lump, egg, nut, pea, mine run, shovelled lump, slack or screenings, etc.). Before unloading any of a lot of fuel therefrom, it shall be the duty of the driver of said wagon or conveyance to deliver one of such duplicate delivery tickets, pertaining to the lot of fuel to be delivered, to the purchaser thereof, or to the party to whom delivery thereof is to be made; and upon any demand or request of such purchaser or party, or of any police officer, or of the Inspector of Weights and Measures of this City or his deputy, it is hereby made the lawful duty of said driver and of said seller to promptly convey said loaded wagon or conveyance to a public scale that may then be agreed upon by the parties present in interest, or, in the absence of such agreement, to a public scale selected by any such officer or vendee or his representative, or to any private scale whose owner consents to the provision hereof, where said driver shall deliver, to any such officer, or to the person in charge of said scale, one of said duplicate delivery tickets; and where the total weight of said wagon or conveyance and its contained fuel shall be ascertained, and to thereupon deliver said fuel to the place where its delivery is to be made, and to thereupon forthwith return to said same scale and permit the weight of said wagon or conveyance to be ascertained and the verification of said weights shown by said delivery ticket completed.

If, upon such verification, the net weight of such fuel, as shown by said ticket pertaining thereto, be found true and correct, such vendee shall pay the cost of and incident to such verification, which cost to him shall at no time exceed one dollar; otherwise such cost shall be borne by the vendor of said fuel; provided, however, that in the event such verification discloses the net weight of said fuel to be incorrect the vendor of such fuel may, within 24 hours after such verification, duly request an inspection of his scale and the scale used in such verification, and if such inspection discloses that the scale of said vendor was correct and said verification scale incorrect, the owner of said verification scale shall pay the cost of said verification and inspection of both said scales; and provided further, that if both said scales be found by said inspection to be inaccurate in any substantial respect, in the judgment of said inspector, said vendor shall pay the cost of said verification, and the owner of each of said scales shall pay the cost of said inspection and resealing of his own scales. This section shall be cumulative with all other ordinances of this city and of the laws of the state in such respects, and nothing herein shall be construed to prevent the Inspector of Weights and Measures

or his dupties from making inspections in their regular manner and demanding a verification at any time.

**Section 7. SUBSTITUTION AND MIXING PROHIBITED AND EXCEPTIONS.** The substitution or mixing of fuel is hereby declared illegal and subject to the penalties provided in this ordinance, except when the fuel has been sold as such and is correctly understood by the purchaser, and clearly indicated on the delivery ticket as provided in Section 6 of this ordinance.

**Section 8. DESCRIBING AND ADVERTISING FUEL.** It is hereby declared unlawful for any person, firm, corporation or association to sell, offer for sale, to deliver, or attempt to deliver, or to advertise in any newspaper, circular, letter, handbill, or to advertise in any way, any coal, coke or fuel by any name which is not the true, usual and customary name of such fuel; or without giving either the true, usual and customary name of such fuel, or the name of the state from which it comes, together with the name or number of the district, mine or seam from which it was mined, and also a description which will indicate the size of its perparation and the character of its preparation, (i. e. whether six inch lump, four inch lump, egg, nut, pea, mine run, shovelled lump, slack or screenings, etc.).

**Section 9. RECORD OF TARE WEIGHTS.** Every licensee operating under this ordinance shall compute delivery ticket weight by using the last tare weight of delivery equipment taken at least once a day for every day of dry weather and twice a day in rainy or wet weather; daily record of tare weights of equipment to be kept for reference by dealer, covering a period of the past ten days at all times; all dealers' daily tare weight records of hauling equipment to be subject to inspection of City Inspector of Weights and Measures or his deputies.

**Section 10. PENALTIES PRESCRIBED.** Any individual, firm, corporation or association who shall violate any provision of this ordinance, shall, upon conviction for the first offense be subject to a fine of not less than twenty-five (\$25.00) dollars, nor more than One Hundred (\$100.00) Dollars, and for the second or any subsequent offense, be subject to a fine of not less than \$50 nor more than \$200 and such license shall be revoked. Each individual sale or transaction of any quantity shall constitute a sepearate and distinct offense.

**Section 11. REPEALING ORDINANCES WHICH CONFLICT.** All ordinances or parts of ordinances which may be in conflict with this ordinance, are, insofar as they so conflict, hereby repealed.

**Section 12. CONSTITUTIONAL PROVISION.** If any section or part of any section of this ordinance shall be declared unconstitutional by a Court of competent jurisdiction, then the remainder shall not be affected thereby, and as to such other provisions, shall continue in full force and effect.

**Section 13. EMERGENCY DECLARED.** WHEREAS, an emergency has been declared to exist, this ordinance shall be in full force and effect from and after its passage.

On motion of Mr. Bartholomew seconded by Dr. Todd, General Ordinance No. 25 was ordered engrossed as amended, read a third time and placed upon its passage.



General Ordinance No. 25 was read a third time, as amended and passed by the following vote:

Ayes, 7, viz.: Bartholomew, Springsteen, Raub, Todd, Dorsett, Negley and President Moore.

Noes, 1, viz.: Albertson.

Mr. Dorsett called for General Ordinance No. 23, 1926 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 23 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 23 was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Sprinsteen, Raub, Albertson, Negley, Dorsett, Bartholomew, Todd and President Boynton J. Moore.

On motion of Mr. Raub, seconded by Dr. Todd, Resolution No. 3, 1926 was stricken from the files.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinances Nos. 11 and 13 were stricken from the files.

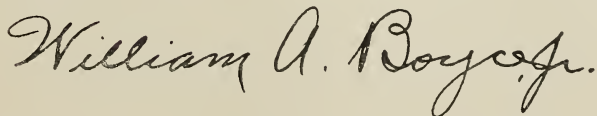
On motion of Dr. Todd, seconded by Mr. Raub, Special Ordinance No. 1, 1926, and General Ordinance No. 19, 1926, were stricken from the files.

On motion of Mr. Albertson, seconded by Dr. Todd, the Common Council of the City of Indianapolis at 8:30 o'clock p. m., adjourned.



President.

Attest:



City Clerk.









## SPECIAL MEETING

Thursday, May 6, 1926, 2:00 p. m.

The Common Council of the City of Indianapolis met in special session in the Council Chamber at 2:00 p. m., Thursday, May 6, 1926, pursuant to the following call which was read:

May 5, 1926, 4:10 p. m.

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Thursday, May 6, 1926, at 2:00 p. m. sharp.

The purpose of such meeting being to reconsider as a main issue General Ordinance No. 19 and to consider General Ordinances Nos. 24 and 26.

Respectfully,

BOYNTON J. MOORE.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WILLIAM A. BOYCE, JR.,  
City Clerk.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and eight members, viz.: Otis E. Bartholomew, Claude E. Negley, Robert E. Springsteen, Millard W. Ferguson, Edward B. Raub, Austin H. Todd, O. Ray Albertson and Walter R. Dorsett.

The reading of the journal was dispensed with on motion of Mr. Dorsett, seconded by Mr. Negley.

## COMMUNICATIONS FROM CITY OFFICERS

May 6, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith a General Ordinance transferring the sum of Two Thousand (\$2,000.00) Dollars from the Garage and Motor Fund No. 33, Department of Public Works, and reappropriating the same to the Equipment Fund No. 72, Depart-

ment of Public Works, and recreating Equipment Fund No. 72, Department of Public Works.

I respectfully recommend the passage of this ordinance.

Respectfully,

W. C. BUSER,  
City Controller.

### REPORT FROM COMMITTEES

Indianapolis, Ind., May 6, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee on Parks to whom was referred Ordinance No. 26, 1926, entitled "Repealing Sections 381 and 382 of General Ordinance 121 of 1925 Code," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW, Chairman  
WALTER R. DORSETT  
AUSTIN H. TODD  
M. W. FERGUSON

### INTRODUCTION OF GENERAL ORDINANCES

By Mr. Bartholomew:

#### GENERAL ORDINANCE NO. 30, 1926

AN ORDINANCE, transferring the sum of Two Thousand (\$2,000) Dollars from the Garage and Motor Fund No. 33, Department of Public Works, and reappropriating the same to Equipment Fund No. 72, Department of Public Works, and recreating Equipment Fund No. 72, Department of Public Works, insofar as heretofore it may have been defective, and fixing a time when the same shall take effect.

WHEREAS, the City of Indianapolis, through its authorized agents failed, refused and neglected at the time of the making of the Appropriation Budget Ordinance for 1926 to set aside any funds in Equipment Fund No. 72, Department of Public Works, and

WHEREAS, there are now no available funds in the Department of Public Works, in Equipment Fund No. 72, now, therefore,  
*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Thousand (\$2,000.00) Dollars be and the same is hereby now transferred and reappropriated from Garage and Motor Fund No. 33, Department of Public Works, to Equipment Fund No. 72, Department of Public Works.

Section 2. That Equipment Fund No. 72, Department of Public Works is hereby recreated and made such fund.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a special

committee consisting of Mr. Ferguson, Chairman; Mr. Dorsett, Mr. Negley, Mr. Bartholomew and Dr. Todd.

#### ORDINANCES ON SECOND READING

Mr. Bartholomew called for General Ordinance No. 26, 1926, for second reading. It was read a second time.

Mr. Raub moved to postpone action on General Ordinance No. 26, 1926, until the next regular meeting of the Council.

Mr. Bartholomew moved to table Mr. Raub's motion which motion to table was adopted by the following vote:

Ayes, 5, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Todd and President Boynton J. Moore.

Noes, 4, viz.: Messrs. Albertson, Negley, Raub and Springsteen.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 26, 1926, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 26 was read a third time by the Clerk and passed by the following vote:

Ayes, 5, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Todd and President Boynton J. Moore.

Noes, 4, viz.: Messrs. Albertson, Negley, Raub and Springsteen.

After President Moore had announced the result of the vote and declared General Ordinance No. 26 adopted, Mr. Springsteen asked that his vote be changed from no to aye and gave written notice that he would ask for reconsideration of General Ordinance No. 26 at the next regular meeting as follows:

Indianapolis, Ind., May 6, 1926.

*Mr. President:*

I hereby give notice that I will at the next regular meeting of this Council make a motion to reconsider the vote whereby General Ordinance No. 26, 1926, was passed.

ROBT. E. SPRINGSTEEN.



Mr. Bartholomew called for General Ordinance No. 24, on second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 24 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 24 was read a third time and passed by unanimous vote of the Council.

On motion of Mr. Dorsett, seconded by Dr. Todd, the Common Council of the City of Indianapolis adjourned at 3:15 p. m.

*Boydton J. Moore*

President.

Attest:

*William A. Boyce, Jr.*

City Clerk.

## REGULAR MEETING

Monday, May 17, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, May 17, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore and seven members, viz.: Walter R. Dorsett, Claude E. Negly, Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen, O. Ray Albertson and Millard W. Ferguson.

Absent: Edward B. Raub.

The reading of the journal was dispensed with on motion of Dr. Tood, seconded by Mr. Bartholomew.

## COMMUNICATIONS FROM THE MAYOR

May 12, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today vetoed General Ordinance No. 26. An Ordinance to repeal sections 381 and 382 of General Ordinance Number 121, being an Ordinance entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former Ordinances," being known as "Municipal Code of Indianapolis 1925."

J. L. DUVALL,  
Mayor.

May 12, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, Resolution No. 4. Whereas the General Assembly of the State of Indiana Acts 1925 p. 367, enacted a general law, amending sections 1 and 6 of the Act of 1923 providing for a tax on gasoline.

J. L. DUVALL,  
Mayor.

May 12, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No.

23, 1926, an Ordinance transferring the sum of Five Thousand (\$5,000.00) Dollars in the Department of the City Civil Engineer from the fund known as Item No. 21, Team Hire, and reappropriating the same to the fund known as Item No. 72, Equipment, in the Department of the City Civil Engineer, and declaring a time when the same shall take effect.

J. L. DUVAL,  
Mayor.

May 12, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 24, 1926. An Ordinance transferring the sum of Seventy-five (\$75.00) Dollars in the Department of Law from the fund known as Item No. 53, therein, "Refunds, Awards and Indemnities," and reappropriating the same to the fund known as Item No. 21, "Communication and Transportation," in the Department of Law, and declaring a time when the same shall take effect.

J. L. DUVAL,  
Mayor.

May 12, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 25. An Ordinance to regulate the retail sale and distribution of coal and coke, in the City of Indianapolis; To provide for the licensing of dealers in such fuel products; To provide for delivery tickets giving the weight and description thereon; To provide for truthfully describing such products in advertising and selling; Prescribing a penalty for violation thereof; declaring an emergency, and designating a time when the same shall take effect.

J. L. DUVAL,  
Mayor.

## REPORT OF CITY OFFICERS

May 17, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith a General Ordinance abolishing the position of one of the two regular foremen employed at the rate of Fifteen Hundred (\$1500.00) Dollars per year, each, in the Asphalt Repair Department under the Board of Public Works, and increasing the salary of the Assistant Superintendent of such Asphalt Plant Department from Sixteen Hundred and Twenty (\$1620.00) Dollars to Two Thousand Four Hundred (\$2400.00) Dollars per annum. This will make a saving of Seven Hundred and Twenty (\$720.00) Dollars per year in the Asphalt Plant Department under the Board of Public Works.

I respectfully recommend the passage of this Ordinance.

Yours,  
WM. C. BUSER,  
City Controller.

May 17, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith a General Ordinance providing for the immediate investment by the City Controller in bonds of all prepayments and moneys prepaid by persons assessed for public improvements and who have taken theretofore the privilege of payment by installments under the Barrett law: providing a method for the immediate payments of such bonds by the City Treasurer upon warrant of the City Controller; providing for the immediate deposit in a bank or trust company, to be selected by the Mayor, of all special funds in the hands of the City Treasurer undeposited in public depositories, in the name of the City of Indianapolis, as trustee, and incapable at the time of being used in the purchase of such bonds; providing that such deposits shall draw interest at the rate of 5% per annum, or more, and that such interest shall be the property of the City as such trustee for the payment of interest due on bonds issued originally for the payment of such public improvements.

I respectfully recommend the passage of this Ordinance.

Yours,

WM. C. BUSER,  
City Controller.

May 12, 1926.

*To Hon. Boynton J. Moore, President of the Common Council of the City of Indianapolis, Indiana:—*

On March 15th last, the Common Council by Resolution No. 2, made specific demand upon me as head of the Legal Department of the City to advise it and to institute such proceedings and take such steps as may be deemed necessary and proper by the Corporation Counsel to enforce the provisions of the laws of this State applicable to Barrett Law moneys coming into the hands of the City Treasurer.

Under Acts of 1905, Page 236, Burns' 1926, Sec. 10335, it is the duty of the Corporation Counsel to have the management, charge and control of the law business of the city and for each branch of its government, and to be the legal adviser of all of its departments and officers, which, of course, includes the Common Council; he shall also promptly commence all proceedings necessary or advisable for the protection or enforcement of the rights of such city or of the public. Under the oath of this office and under such express law, the Corporation Counsel has no option in the matter, even were he disposed to do otherwise, than to advise you truthfully and as expeditiously as he can of the law inquired about and to institute such proceedings as are necessary to vindicate the law.

For proper understanding of the Barrett law situation, it is necessary that I review somewhat the history and nature of the same. Although it antedates 1905 when our city laws were codified, yet I will only begin at that date and briefly summarize. This is necessary, although the only question here is whether or not the interest on the prepayments of persons specially benefitted by public improvements and who have taken the Barrett law, belongs to the City or to the County Treasurer who is ex-officio the City Treasurer.



At the outset, let me say that it is my opinion that under the law of the State any interest of any nature or description arising from prepayments on the Barrett law belongs not to the City Treasurer or to an individual but to the City and its creditors.

It has been stated that under the law as it now exists, if the interest were paid to the City instead of to the City Treasurer, that the same would end all deficiency in the Barrett law payments. My answer to this is that it is a mistaken notion. It cannot be done under the present law; it can only be approximated. Under the Acts of 1905, the law permitted prepayments of assessments against individuals benefitted by the public improvement but also provided for calling in the bonds issued by the City for paying for the improvement originally and making partial payment thereon to stop the interest. This was satisfactory to property owners but the bonds were not so good as the maturity was uncertain and interest was lost to the City to some extent by the delays of calling in the bonds and making the proper credits thereon. But because this plan had a tendency to increase the rate of interest required by bond holders and because it made such bonds undesirable on the ground that they were not a certain fixed investment by the bond holder, this plan was considered as impracticable, and indeed a considerable deficit accumulated thereunder. It was to make up this shortage that the Legislature passed a law providing for a one-cent tax levy on the general public to make up the deficiency between the original bonds and the payments and prepayments of the persons assessed.

In Acts 1913, Page 349, in order to obviate deficiencies in the future, the Legislature adopted the only feasible plan to make the money paid in on Barrett law absolutely and unerringly equal to the amount for which the City was liable on bonds and their interest issued by the City to secure the deferred payments under the Barrett law. This Act declared that although persons may take the Barrett law (which means that persons liable for the assessments of benefits may pay the same in 10 annual installments) yet if such persons desire to make prepayments and get rid of the lien upon their property, they must in such prepayment pay in not only the full amount of the principal which is due, but also all of the interest which would accumulate for the full unelapsed period of 10 years. Obviously then under this plan there could be no deficiency. But again this plan was highly unsatisfactory to the public who desired more leniency and the 1915 Act, Acts of 1915, Page 548, Burns' 1926 Sec. 10450, was substituted for the 1913 Act.

This 1915 Act in my opinion is now the law as to prepayments and has been the law since it went into force in about the month of February, 1915. This Act declares that a Barrett law taker might make his prepayments at any time after the expiration of the first year, pay up his entire assessment and stop the interest thereon, and be relieved of the lien of the same, only upon the condition that he at the same time pay up all accrued interest, and also interest up to the time when the next installment of interest would be payable, provided that he give six months notice to the Treasurer of such prepayment. This leniency to the Barrett law taker necessarily placed large sums of money in the hands of the City Treasurer amounting, as I am reliably informed, to about \$1,000,000.00 a year. Of course, the original Barrett law bonds continued without intermission to pile up interest against the City but unless this pre-



payment sum of \$1,000,000.00 a year were invested as quickly as possible, the City would have no offset against the original bond interest, from the large sum of the prepayments. Devising against this difficulty, the 1915 Act provided as follows:—

“Said prepaid assessments shall constitute a ‘special fund’ to be held in trust by the Treasurer in the form hereinafter prescribed, for the owner or owners of the different issue, of bonds upon which such prepayments had been made; it shall be the duty of the City, through its Comptroller, to invest such trust funds in bonds of similar kind and character, at par, for the benefit of said City as Trustee for the holders of the bonds and interest coupons upon which such prepayments were made, and the City shall become liable to such holders to the amount of the prepayment thereon made, with the interest on the principal thereof. The said bonds in which said trust funds are invested, shall be held and collected by the Treasurer as other bonds are collected, and the money applied in payment of the installments of interest and principal of the bonds upon which said prepayments were originally made, or to said City; provided, that it has paid the same.”

Under this law it was the intent of the Legislature to show leniency to the Barrett law taker but also it was the purpose to take his prepayment and to apply it immediately to the purchase of new bonds in order to attain unto a higher rate of interest than could be obtained by a deposit in a bank or perhaps in a public depository and thereby do the best that could be done under the circumstances to cause the new interest on the prepayments to equalize or approximately equalize the interest accruing on the original bonds. Before proceeding further let me discuss briefly some of the defects, perhaps, in the operation but not of the validity of this law. At least some time must intervene before the controller can invest this large sum of prepayment money into bonds which would be desirable. During this time the Treasurer under present practice would have this sum for his own use and upon which under present practice he would draw interest at the rate of \$5,000.00 or \$10,000.00 per year. It has been questioned as to whether or not at times the controller could get good bonds in the market quickly and expeditiously. It has been urged that in such cases bonds purchased by the Controller might not be paid; that foreclosures would result and perhaps the City be loaded down with real estate and various kinds of frozen securities. It is also urged that by reason of the vast number of prepayments and numbers of investments which the Controller must make under the bond purchasing provision, a gigantic and perhaps impossible requirement as to bookkeeping in the offices of the Controller and Treasurer might result. Be this as it may, this is now the law and should be followed at least until the next General Assembly, when after trial if the law be found wanting, it could be rectified.

But at no time since 1915 has this law ever been put into effect. The reasons for this inoperation seem to me to be artificial and not based upon common sense or duty to the public. The main difficulty as raised, is the public depository law of 1907 and the Federal injunction thereunder in 1908 by the U. S. Circuit Court in the case of Barber Asphalt Paving Company vs. Edward J. Robison, as Treasurer of the City of Indianapolis and the City of Indianapolis, No. 10815. This case seems to have been a friendly litigation but on

December 30, 1908, A. B. Anderson as the Judge therein rendered the following final decree in the case:

"That the temporary injunction heretofore granted against the defendants herein be, and the same hereby is made perpetual."

"And the said Edward J. Robison, as Treasurer of the City of Indianapolis, and his successor or successors in office be, and they hereby are, perpetually restrained and enjoined from depositing in any bank, trust company, or other public depository, any of the moneys or funds received by the said Robison as such Treasurer, or by his successor or successors, on account of any special assessments made by the City of Indianapolis, for the improvement of streets or other public improvements therein."

The Public Depository Law, Acts 1907, page 391, Burns' 1926, Sec. 12611, et seq. went into effect December 1, 1907, which has since been amended in various particulars. The purpose of the depository Act was to remedy the old grievance of the public that Treasurers, State and Municipal, were allowed under the law, as we shall hereafter show, to deposit public funds to their own benefit and retain the interest thereon. Many fortunes were made in this way it is said. It was desired by the General Assembly that the interest on public funds should go to the Public, and pursuant to such view insofar as cities were concerned certain banks were established as compulsory depositories of all public funds, which depositories, under Section 15 of the law, as amended in Acts of 1909, page 437, were to pay to the City interest on daily balance, at the rate of 2% per annum, and upon semi-annual time deposits 2½% per annum and upon annual time deposits 3% per annum. In passing let me say that this rate of interest has become antiquated; the City like any other depositor ought to receive a much higher rate on its deposits of public funds, such as is received by an ordinary depositor in these days; that the next General Assembly should order a raise in the per cent. of interest coming to the City. The title to the Depository Act shows that the same has no reference to any funds except public funds and the Act itself, the Federal Court decision, the hereinafter mentioned decision of the Marion Superior Court in the Von Hake case, and other sections of the Statute show the same.

In the case in the Federal Court the theory of the plaintiff was that it had bonds, probably executed before the depository law went into effect and that any change in the method of their payment or of the depositing of the trust funds for their payment, would impair the obligation of the contract for such bonds; that Robison as Treasurer of the City was about to deposit Barrett law funds in the public depositories and that no money deposited by said Robison in said depositories could thereafter be withdrawn from the same except in payment of a warrant drawn by proper officers as authorized by the depository law; that if such Barrett law moneys were so deposited there would be no proper officer of the City with right or authority to draw any warrant in favor of the plaintiff or of any other bond holder, upon which such money could be withdrawn from said depositories; that the ten Controllet, George T. Bruenig, had given out and asserted that if such moneys were so deposited, he would draw no warrant in favor of any bond holder which would enable such bond holder to obtain the money so deposited; that if such moneys

were so deposited, it would hinder and delay plaintiff and all other bond holders in the collection of their bonds and would necessitate a multiplicity of suits by said bond holders to obtain the money to which they were entitled, and would result in the condition that the bonds held by the plaintiff and others would depreciate in value to a large extent and the marketable quality of such bonds would be greatly and needlessly impaired.

Agreeably with our view that this was a friendly suit, we maintain without any hint of bad faith in reference to any of the parties to the same, that the matter patently was not fully presented to the Court at that time and that had the Court fully understood the import of the matter and the deplorable implications resulting therefrom, it would never have rendered the injunction, at least in its present manner and form. Although technically the Barrett law funds were held not to be public funds, yet it would not have hurt anyone had they at that time been deposited in the public depository and thereafter; the bondholders would have known that their trust funds were kept safely; the City would have drawn interest thereon for all these years for the payment of the bond holders. Had the money been deposited then and thereafter in the depository Mr. Bruenig and his successors would not have had the least trouble in withdrawing the same on their warrants. This is especially true since the trust fund whether it went into a public depository or not, could be followed by the *cestui que trustents* wherever it might go in or out of the City's hands. The trust funds are far safer in the public depository than in the pockets of the individual who happens to be City Treasurer. The specific answer of the defendants in the case, admitting all the allegations of the complaint, add to the impression that it was merely an agreed case and not fully argued; it also asks the Court to decide once for all a question which would undoubtedly be altered by enactment of statutes. The final injunction, so broad in its scope, binding all the successors of Robison, without qualification or condition, shows that the Court was not fully informed of all the implications of his decision as he would have been, had the matter been a genuine adversary proceeding. It does not appear to us that in a matter pertaining to the mere rights of the Barber Asphalt Paving Company as to bonds held in 1908, against an individual who temporarily held the office of City Treasurer, that an injunction should have been granted purporting to bind the City and its officers for all future time. We feel that if the matter had been fully presented to the Court no such blanket injunction would have been granted, and in saying this we mean not the slightest disrespect either to the Court or to the counsel or parties individually.

It has been urged by lawyers of ability that the Federal injunction has only force insofar as the pleadings in the cause and the issues involved permit; that this case was only the individual case of the Barber Asphalt Paving Company and Robison and the City when Robison was Treasurer; that the same is no longer binding. However, the decree being so broad and all inclusive, one could not blame the City or its officers from refusing to violate in any way even its purported meaning. The City years ago should have moved to modify or to set aside the same and this office is preparing now to do so. However, as I shall show, the Federal injunction did not and does not interfere with the right of the City to the interest on pre-



payments on the Barrett Law funds, if any such interest has been earned.

Reverting to the 1915 Act again, it is alleged that by reason of the Federal injunction, such Act is inoperative. We do not agree with this contention. This proposition was stated by Mr. Lawrence Orr, the capable and excellent head of the State Board of Accounts, in the following language in a recent public statement on the 22nd day of April last:

"Reinvestments have not been made of such prepayments with the view that the money cannot be withdrawn from the treasury for such purpose, as to so withdraw it the Controller would need to issue a warrant upon the depository, and the funds are not carried in the depository since the Federal injunction forbids."

But why such delicacy on the part of the Controller? We ask, without in the least attempting to pick a quarrel with Mr. Orr. If not given a fork at the table, some of us can get along very well with only a knife. Indeed, the City Controllers ever since the Federal decree have had no trouble in issuing their warrants for millions of dollars throughout all these years up to the present time, in favor of contractors and bond holders, on these same Barrett law funds, although they were not in the public depository. Why has not the same favor been shown the City? Besides, how did the money get out of the Treasurer's hands on Barrett law funds before the passage of the depository law in 1907? They got out, because they are not here now. If the depository Act does not apply to Barrett law funds, then the general law as it was before 1907 and as it is now, governs. There has always been sufficient power in the Controller to make order against these trust funds in the hands of the City Treasurer:

"He (the Controller) shall sign and issue all orders for money upon the City Treasurer, and no money shall be paid out by the Treasurer except upon such order."

#### BURNS' 1926, SEC. 10311 (3d)

"He shall notify the Mayor in case of any neglect or failure on the part of any officer or officers authorized to collect any moneys for or on account of the City, in the performance of such duty or in depositing their collections in the Treasury; and thereupon, the Mayor shall suspend such officer or officers, and proceed against them for an action upon their official bond, or otherwise, as he may deem best."

#### BURNS' 1926, SEC. 10311 (11th)

"The Treasurer of every county, in the State (the ex-officio city Treasurer) shall keep an account of all moneys received by him for each city in such county for taxes, current or delinquent, assessments, license fees, and from all other sources whatever; and on the first day of each month he shall receipt to the Controller of such city, in cities in which such office of Controller has been created, and to the City Clerk of other cities, for the amount collected by him as aforesaid, for the preceding month, itemizing the moneys by him so collected, which amounts so receipted for shall at once be available for such city's use. . . . and in cities of the first . . .

classes which are county seats (such as Indianapolis) he shall pay such amounts on the warrants drawn on the City Treasurer by the City Controller of each of such cities respectively, and as otherwise provided in this Act. Whenever any County Treasurer . . . shall fail to discharge faithfully, fully and promptly any duty imposed upon him by this Act, or by any other law relating to his duties in connection with cities or towns, he shall be liable to impeachment and removal from office, and to damages from such failure, for which damages his bondsmen also shall be liable—the bondsmen of any such officers may be made co-defendants of the action in case such city or town seeks to recover damages.”

#### BURNS' 1926, SEC. 10971

“The City Treasurer shall receive all moneys, notes, bonds and orders belonging to the City, and keep an accurate account of such moneys, notes, bonds and orders, and of the amounts received and paid out by him; and no money shall be paid out of the city treasury by him except upon a warrant duly drawn thereon.”

#### BURNS' 1926, SEC. 10972

“All moneys due to or to be collected for any city, on any account whatever, shall be paid to the City Treasurer, who shall, for every sum received by him, issue a receipt to the person paying the same; which receipt, except for taxes charged on the duplicate, such person shall file with the city controller, save in cities of the fifth class, in which case, such receipt shall be filed with the city clerk, and thereupon such controller or clerk shall issue a quietus to such person, and charge the Treasurer with the amount therein specified, and upon what account. The Treasurer shall receive city orders that are due in payment of any debt, tax or assessment due such city; and when an order is received by him for any debt, tax or assessment due such city, or otherwise paid or redeemed, he shall cancel the word ‘redeemed’ and the date of redemption; and such order shall not again be put in circulation. The treasurer shall also, in like manner, cancel all bonds or other evidence of indebtedness redeemed or liquidated by him. He shall register all orders by him so redeemed in a book to be furnished him for that purpose, in the same manner as the city clerk or controller is required to register such orders. He shall also register all receipts given by him as required in this Act, except receipts for taxes charged on the tax duplicate.”

#### BURNS' 1926, SEC. 10973

“The City Treasurer shall pay all orders issued by the City of which he is such Treasurer, when presented properly endorsed, if there be money in the Treasury appropriated for that purpose sufficient to pay the same.”

“The City Treasurer of every city shall, on the first day of each month, furnish the city controller, in cities of the first, second, third and fourth classes, and the City Clerk, in cities of the fifth class, a statement of all the receipts and disbursements made by him during the previous month, and the balance in the treasury belonging to each fund, general and special, and also deliver to him all the orders



redeemed and cancelled by him during the same period; taking the Controller's or Clerk's receipt therefor; which statement, with the orders redeemed, the controller or clerk, as the case may be, shall lay before the Common Council at its next meeting, to be disposed of as the Council may direct. The City Treasurer shall also, at least fifteen days before the general city election, and at all other times when so required by the Common Council, render a full account of the receipts and expenditures for the current year, and the general condition of the treasury. He shall also, at his own peril, keep safe the moneys of the city."

#### BURNS' 1926, SEC. 10975

These sections of the statute above quoted were all in force in 1905, before the enactment of the depository law and have been at all times since in force. All of the various provisions for the payment or handling of Barrett law funds under these statutes have been operative at all times except where the city's rights seem to intervene. There is no reason why the Barrett law prepayments have not been turned over for re-investment by the Controller. The mere fact that the depository law, which has no application to the Barrett law funds except as the hereinafter discussed 1921 Fees and Salaries Act may govern and except as the City Treasurer might voluntarily use the depository, states that for public funds in the depository, there must be a warrant by the Controller therefor stamped with the name of the depository thereon, does not prevent the honoring by the City Treasurer of a warrant upon Barrett Law funds, which are not public funds and are not deposited in the public depository. The Section of the depository law, Burns' 1926, Sec. 12634, has no bearing upon the matter at all as to how these particular funds shall be withdrawn. The withdrawal of these funds is clearly governed by the law of 1905 and general law relating to funds not contemplated by the depository Act.

This seems so obvious to me that apparently further legislation is unnecessary to get the Barrett law funds from the hands of the City Treasurer for the payment of the new bonds purchased by the Controller under the Act of 1915. Has the law come to such a pass that the city as trustee, cannot have its own money? To argue would make a laughing-stock of the law. But in order to obviate any excuse or further delay in the matter we suggest to you the immediate passage of the ordinance which I have drawn and append hereto, under suspension of rules. The City Council has more power in these matters than is generally thought. Under Burns' 1926, Sec. 10949, it is made the duty of the City Treasurer to "perform all the duties which by law or the ordinances of such city are required to be performed by the Treasurer thereof, except as herein otherwise provided," and there is no provision in the law opposing what I am now to suggest. The following is the state law which I now ask you for these purposes to invoke:

"And wherever there is a grant of authority or power conferred by this Act, and no method is provided by this Act or by any other general law, as herein referred to, for the exercise of such authority or power, the common council of any city or the Board of Trustees of any town, may, by ordinance, provide such method."

Burns' 1926, Sec. 11184, Acts 1905, page 383.

Presuming therefore, for the sake of argument only, that there is no method provided by the 1915 Act by which the Barrett law prepayment funds may be ordered by the Controller from the City Treasurer to pay for the new bonds contemplated in such Act, yet the General Assembly has put it in the power of the City Council to provide such method. Undoubtedly there is a grant of authority or power conferred by the law upon the Controller to invest these funds in new bonds. You therefore may by passage of this ordinance provide immediate relief by specifically stating therein the method by which the Controller may realize his authority and power.

It will be noted that in the above set out Section 10971 of

Burns' 1926, that the Treasurer shall each month receipt to the Controller for Barrett law funds and the same shall then at once be available for such City's use. Construing this literally, the Treasurer under his present practice would be able to get the interest on Barrett law funds for such time as might intervene between his obtaining of the same and his receipt of the same to the Controller; a considerable sum. We think, however, that the Act of 1915 supercedes this section in this respect; that it contemplates the immediate investment of Barrett law prepayments in bonds because the very purpose of the bond investment is to cause the interest on the new bonds to approximate or equal the interest on the old bonds. The Controller has the right to know immediately of any prepayments and as to all the accounts of the Treasurer; he should therefore under the law not wait for 30 days to elapse but should invest prepayments at once in bonds:

The case of City of Indianapolis vs. Bruce Robison, 186 Ind. 660, can be dismissed without much consideration. It did not hold the 1915 law invalid; it merely decided that the application of it to bonds executed before the 1915 law went into effect could not be maintained, on the ground of impairment of contract. That would be true as to any law. Such case did, however, state that the Barrett law funds invested as provided in the 1915 Act are a trust fund in the hands of the city.

The case of State of Indiana, ex rel City of Indianapolis vs. Carl Von Hake and his bondsmen, No. A-7668, Room 3 of the Marion Superior Court, also has little significance here. On the ground of res judicata however, the city or state cannot proceed further against Von Hake and his bondsmen. In that case the plaintiff tried to maintain that the Barrett law funds should have been placed in the public depository and that Von Hake earned large sums of money in the way of interest thereon by private investment. The contention of the defendants according to their briefs, which I have read, was that these sums were not public funds and had no place in the public depository; that under the law the relation of debtor and creditor applied and that Von Hake was entitled to the interest. This theory was adopted in some particulars by the learned Court and judgment was rendered for the defendants. It would seem that irrespective of the question as to whether or not these funds were public funds, the matter was still open as to whether or not Von Hake was entitled to the interest. The plaintiff to my view should have appealed this case for a decision of the higher court but instead it waived the right to appeal and also dismissed a similar case against the former City Treasurer Sourbier. This decision declared the law wholly in refer-

ence to Von Hake and his bondsmen but as to no one else. In the same, from the pleadings and the briefs I can find no contention made by the plaintiffs of treasurer's liability on the theory of the trust fund doctrine upon which the views expressed herein are largely based. In fact when I mentioned this theory to one of the able attorneys at law of the defendants in that case, he informed me that this trust fund doctrine was never raised and believed that if it had been, the decision of the Court might have been altogether different. I do not wish to be put in the attitude however, of criticising the plaintiff's attorneys nor anyone in that case; the matters are extremely complicated and often leading theories may be overlooked.

There is no merit in the contention that the Treasurer is liable to the city for the interest merely because there was no investment in new bonds under the 1915 Act. The Treasurer had no duty to perform here except as follows: the duty was on the Controller to buy the new bonds and to send his order to the Treasurer for their payment. Until the Controller invested in the new bonds and sent such warrant or order there was no duty on the part of the Treasurer. He could not be held as a constructive trustee, a trustee ex maleficio or as any other kind of trustee until the Controller had bought the bonds and the Treasurer had refused payment thereon. This to my information was never done. The special fund of the Act of 1915 was merely making a special fund of a special fund, with the sole change from the latter of the manner of its investment. The second special fund contemplated, never became a fund "to be held in trust by the Treasurer in the form hereinafter prescribed," until the bonds were bought, paid for and placed in the hands of the Treasurer for holding, collection and satisfaction of the other bonds. None of this to my information was ever done. Unless it could be proven that the Controllers and Treasurers were in a conspiracy to prevent the investment under this Act, I do not see how the Treasurer could be held for the interest solely because of a special fund never created, through the fault of the Controller. To hold the Treasurer responsible in any way, it must be shown that the trust fund in his hands first earned interest and then that the old relation of debtor and creditor between the City and the Treasurer does not apply to the Barrett law trust funds.

Although, your inquiry was only as to interest on prepayments, let me further suggest that there is probably other interest which the City Treasurer has taken for years which is not ordinarily considered. I refer to the interest on sums ranging from \$500,000.00 to \$1,000,000.00 a year which are paid in by persons assessed for public improvements, in cash and in advance and in full, without the taking of the Barrett law. These sums are use to partially pay for the improvement and generally are in the hands of the Treasurer for at least 30 days without interest given to the public. If the Treasurer according to rumor, invests these sums privately as it is alleged that he does in regard to the said prepayments, he would obtain on these funds interest in a sum ranging from \$4,000.00 to \$10,000.00 per year.

Contrary to popular impression the law in this state up until 1907 when the depository Act was passed, declared that the interest on all public funds both state and municipal, belonged to the Treasurer. Although contrary to the great weight of authority throughout



the Union, our Supreme Court decisions took this rather peculiar shoot, holding that public funds were held by the Treasurer not as a Trustee or bailee for the City or State but were held in the debtor and creditor relation only, the City or State being the creditor and the Treasurer being the debtor. As a plain inference from this relation, the Indiana Courts held that this relation gave the Treasurer legal title to such funds. They reason in this wise, because under the law the Treasurer is an insurer of public funds with no relief from act of God, death, fire, earthquake, theft, or any casualty; he must hold the funds at his peril. The Court argued that this insurance precluded the Treasurer from being a Trustee or a Bailee because a Trustee or Bailee under the law is not an insurer or responsible for act of God, or any such casualties; that the relation of debtor to the City or State was the only one which would fit the situation for the reason that only as a debtor could the Treasurer be held responsible in spite of any such casualties. A debtor must pay and his obligation, which never ceases no matter what disasters might confront him. A debtor concededly under general law holds legal title to the amount loaned him; if the Treasurer held legal title, the Supreme Court argued the funds were his and he was credited to the interest. Concededly under general law a Trustee or Bailee if they put the funds to interest must account to the Cestui Que Trust or to the bailor for such interest, it being only the natural increment and belonging to the funds. For all these years, therefore, our Supreme Court has held that the relation of City and Treasurer was that of debtor and creditor and that the Treasurer was therefore entitled to any interest or emolument that he might obtain thereby.

In the leading case of *Shelton vs. The State ex rel*, 53 Ind. 331, the Treasurer of Morgan County was asked to account for the interest on public funds which he had invested privately to his own profit. The Court discussed the Indiana rule as we have above outlined and held the County Treasurer not liable to the county for the interest and stated as the correct rule:

"That when the officer has complied with the terms of his official bond, by keeping the money safely during the term of his office, by paying it out when legally required during his term, or accounting for and paying the same over to the proper person or authority at the expiration of his term, he has done all that the law and the terms of his bond require of him. He is not, like a Trustee or an agent the mere bailee or custodian of the money in his hands. The money which he receives becomes his own money and when he has accounted as required by law and by the terms of his bond, nothing further can be required of him. If the Legislature has provided, or shall provide, that money, in such case, shall remain specifically the money of the county, a different rule would prevail. No such regulation is found applicable to the money from which the profits were derived, that are in question in this case."

This case has never been overruled but is supported by a great number of other authorities, excerpts of which we here now insert:

"The facts found by the court show that Thomas became a defaulter in his prior term of office—not because he invested money received from public sources in his private business, for that he had a right to do, so long as he kept himself ready to pay out according to all sums required for public uses."



Goodwine et al vs. The State ex rel., Fleming, 81 Ind., 109.

"He was bound, as a public officer, to keep the funds in his hands safely. He was an insurer of the safety of the funds, and he was bound to account for the money lost by him, although lost without his fault. The amount of money he received measured his liability. Rock v. Stinger, 36 Ind., 346; Inglis v. State, ex rel., 61, Ind., 212; Linville vs. Leininger, Tr., 72 Ind. 491; Bocard v. State, ex rel., 79 Ind. 270. \*\*\* 'He was not a mere bailee of the money; but he became bound by his bond to the township for it, whatever casualty might have happened to him, whereby he lost it.'

McClelland, Trustee, v. The State, ex rel. Speer, 138 Ind. 321.

"And if the Trustee has invested the trust property, or its proceeds, in any other property into which it can be distinctly traced, the cestui que trust has his election either to follow the same into the new investment, or to hold the trustee personally liable for the breach of the trust. And where a part of the funds of the cestui que trust have been mixed up with other funds exclusively belonging to the trustee in the new purchase or investment, there may be ground to hold the trust funds in charge pro tanto therein.

"But the doctrine so announced as applicable to ordinary trustees, including agents, bailees and the like, is not applicable to public officers who give bond to secure a just and full accounting for the moneys which come into their management and control. \*\*\*

"It is well established that a public officer who is required to give bond for the proper payment of moneys that may come into his hands as such officer, is not a mere bailee of the money, exonerated by the exercise of ordinary care and diligence; but that his liability is fixed by his bond, and that the fact that the money was stolen from him, without his fault, does not release him from his obligation to make such payment."

"In Morbach v. The State, ex rel., 28 Ind. 86, this case was approved and the doctrine applied to the case of a township trustee; and in Rock v. Stinger, 36 Ind. 346, the same judge, speaking for the court, after reaffirming the doctrine and its applicability to a township trustee, says: "Under these circumstances, as the trustee is not a mere bailee, it would seem that the legal technical title to the money in his hands is in himself. Suppose a township trustee should die with moneys received by him as such, in his hands; can it be claimed that the money, even if the specific bills or coin received by him officially could be identified, would go to his successor and not his administrator? We think it quite clear, in the case supposed, that the money would go to the administrator, because simply the title was in the trustee. This view is fully sustained by authority. In the case of Inhabitants of Colerain v. Bell, 9 Met. 499, it was held that 'the specific money received by a collector, in the collection of taxes, is his money, and not that of the town.'"

"But, say counsel for the appellee, in substance, this officer was a trustee, so named in the law, and the duties of a trustee are imposed on him, and, consequently, the law of trusteeship must apply to his transactions. There is no question that in the general management of his office, and in the discharge of its duties, he is

responsible as such, and may well be called a trustee; but, in reference to the public money which comes into his hands, it is not so. That at the moment of receipt, becomes his own. The amount he receives measures the amount for which he is liable on his bond, and the amount which he can officially expend; and he must manage his trust with reference thereto, holding himself ready to apply that sum, if necessary, to the public uses under his supervision, according to law, but with reference to any particular or specific money, no matter whence received, he owes the public no duty, and the public can make no demand therefor.

"This conclusion necessarily results from the doctrine enunciated in the cases referred to supra, and the extraordinary liability imposed on public officials and their bondsmen, beyond any which is enforced against an ordinary trustee, or private agent, can be maintained consistently on no other theory."

"It being conceded that the public officer, under bonds to account therefore, is not a bailee or trustee, but the owner of the moneys which come into his hands by virtue of his office, there is no room for an application of the equitable principle which the appellee endeavored to invoke, for that principle applies only in case of trusts and to the subject matter of the trust. Repeating the expression used in *Halbert v. The State*, supra, the "liability" of an officer who is required to give bond "is fixed by his bond," and in case of default resort must be had to that bond, if the individual responsibility of the officer is not adequate. There is no principle of equity or rule of law or statute by which the preference asked for can be allowed.

*Linville vs. Leininger*, 72 Ind. 491.

Such was the law before the enactment in 1907 of the depository Act but none of these decisions insofar as we have been able to discover, held that as to a special fund held in trust for the city as for bond holders or others, the rule of debtor and creditor applied. The remarks of the court in the last above cited decision as to specific money, if at all applicable to the Barrett law situation, would be mere obiter dicta and not authorized by the facts of the case. The concluding sentence of the above excerpt in the Shelton case which we again quote, seems to point the way here:—

"If the Legislature has provided, or shall provide, that money, in such case, shall remain specifically the money of the county (or city) a different rule would prevail."

As to Barrett law money the Legislature has provided that such money shall remain specifically the money of the city and consequently a different rule in our opinion does prevail. Under law money in the hands of a trustee remains his money; he holds legal title to it. Here, the city is such manner of trustee. Since 1905 and at all times for that matter, the Barrett law funds are specific and special funds, in fact they are trust funds with the city as the trustee thereof for the bond holders.

"The funds thus raised shall be a specific fund, to be held and used for the special purpose herein described, and for no other purpose whatever."

Acts 1905, Page 236, Sec. 108 p. Burns' 1926, Sec. 10442.

"It shall be the duty of the Treasurer to promptly and properly apply all money paid in on such installments to the holders of the bonds and coupons and he shall not use the money received by him in payment of such installments for any other purpose whatever than that of paying the bonds and coupons, and he shall promptly ascertain the amount paid in on such installments and, without delay, pay the same to the bond and coupon holders entitled thereto."

Acts 1905, Page 236, Sec. 115; Burns' 1926, Sec. 10454.

In the case of City of Indianapolis vs. Robinson, 186 Ind. 660, 117 N. E. 861, it was held that the special fund under the 1915 Act of the Barrett law prepayments was a trust fund wherein the city was the trustee for the bond holders. There is no distinction between the 1915 Act and former Barrett law Acts in respect to the funds except the manner in which it is to be invested.

This being such a trust fund, would the interest, if any earned, be the property of the city or the property of its Treasurer? Does the Treasurer in keeping trust funds, for the city, maintain as to it the old relationship of debtor and creditor? As to this fund does the Treasurer hold the legal title and may he invest it in his private business or put it privately out at interest for himself as was his privilege in regard to public funds before the enactment of the depository law? In my opinion the law of trustee prevails and compels the answers to each of the last two questions to be in the negative. It is a matter of surprise to me that this theory has not entered into the discussions of the subject heretofore.

One of the cardinal rules of trusts is that the trust fund, the res, the corpus, or the body of the trust, must be kept intact. It ceases to be a trust when not kept intact; it never becomes a trust except in the contemplation that the fund will remain intact. If the Treasurer were permitted as between him and the City to hold this trust fund in the old debtor and creditor relation, then he would be permitted as a matter of law to use the same in his own private business, to put it in the bank of his own private choosing, to buy merchandise with it or to do anything else he chose, provided at the end of his term he would produce its equivalent to his successor, but this would be in violation of the very definition of a trust; it would not be keeping the trust fund intact. The city and its agent the Treasurer must keep this fund intact because it is dedicated to that very purpose.

"The law has long been regarded as settled that it is the duty of trustees to collect and preserve intact the trust property, and that they have no power to change the character of the trust property, unless it is of a perishable or transitory nature, and then only to convert it into a substantial, enduring, and revenue producing investment, and if a change be deemed necessary, or for the interest of the beneficiary, the permission or sanction of the court should be obtained. The rule is necessary for the preservation of the fund. The temptations to tamper with the fund by a trustee are so powerful and so numerous, the hopes of bettering the estate so often prove delusive, that the power of changing the character of the fund is most safely reposed in the discretion of judicial tribunals. This is



the invariable rule in reference to converting money into real estate or real estate into money. A trustee ordinarily holds the property intrusted to his charge to collect the rents, issues, dividends, or profit thereof, and to apply them to some specific use, and the legal presumption is that he has no power to sell or transfer the subject of his trust. The power to sell must be found in the instrument vesting the estate in the trustee, or in some other instrument executed or assented to by the donor and declaring the purposes of the trust. And in absence of any authority given expressly or by implication property which has passed into the hands of a trustee to be held by him for a limited time must be kept by him and delivered in kind to the beneficiaries at the termination of the trust, and a sale of the property without authority is void as against the beneficiaries."

26 Ruling Case Law, 1283, and cases.

Under the doctrine of the Treasurer as a debtor, the interest he earns on public funds is his but where he cannot be the debtor of a City as in case of a special trust fund, he as trustee or as a joint trustee or a representative or agent of the trustee or as a bailee, in each of which relations he is not entitled to the interest he may have earned from the fund privately, would not own the interest. That interest is the natural increment to and belonging to the principal sum and goes to the one to whom the principal belongs either actually or by legal fiction.

State vs. Chamber, L. R. A. 1918 B. 803, 811, Note.

It does not lie in the mouth of the Treasurer to say to the City as Trustee, which insofar as the Treasurer is concerned is the owner of the funds and holds legal title thereto, that the bond holder only can complain as to the interest. The trustee in every way and for every purpose represents the bond holder, the cestui que trustent. The Trustee may bring suit for and in behalf of every right of its certui and it is its duty to do so. It is not the affair of the Treasurer as to whom the money eventually belongs, when he deals with the Trustee. Besides the city as a trustee personally has been damaged by the acts of the Treasurer in retaining the interest; it has been compelled to levy a one cent tax in its attempt to equalize deficiencies and now there are as in the past, great deficiencies. The city has as Trustee a personal interest in seeing that the trust fund and its increment interest is kept intact. This is also following the law of trusts.

In our view the Treasurer upon the receipt by him of the Barrett trust funds became a trustee or agent thereof for the city to the extent of its interest and for the bondholders although the city was the trustee named in the law. In the case of Lewis vs. Hershey, 45 Ind. App. 104, 90 N. E. 332, a grandfather obtained from the mother a sum procured by court decision in a bastardy proceeding, which sum made a trust fund for the illegitimate child. The court says:—

"Unlike many cases, where the question as to whether or not a trust exists, the money over which this dispute arose was trust money, created so by statute, regardless of whether the mother or grandfather held it. This is certainly true, when he took it, as he did, with full knowledge of the facts as to the source from whence



it came. He was merely the custodian of the money. *Kane v. Bloodgood*, 7 Johns, Ch. (N. Y.) 90 11 Am. Dec. 417; *Brown v. Maplewood Cemetery Ass'n*, 85 Minn. 498, 89 N. W. 872; *Taylor v. Benham*, 46 U. S. 233, 12 L. Ed. 130. In the case of *Kane v. Bloodgood*, supra, Chancellor Kent said; 'Every person who receives money to be paid to another or to be applied to a particular purpose, to which he does not apply it, is a trustee, and may be sued either at law for money had and received, or in equity as a trustee for a breach of trust.'

"A grantor of property in trust for a specific purpose retains such an interest therein as entitled him in equity to insist on specific execution of the trust."

39 Cyc. 246, and cases.

"While an agent or solicitor of a trustee is personally liable for any loss resulting from his own positive act or default, and will under some circumstances be charged as trustee, where he has not participated in any breach of trust he will not be held personally liable, or held to be a constructive trustee, his liability to account being to the trustee and not to cestui que trust."

39 Cyc. 306 and authorities.

"A mere agent of a trustee is generally accountable only to the trustee, and not to the cestui que trust, unless the facts established his relation as that of trustee."

39 Cyc. 468 and authorities.

The directors of a corporation, while not technically trustees, were liable in equity to account the same as ordinary trustees for their conduct in the management of the corporation, and for the monies they had received as a consideration for turning over the control of the corporation to third parties.

*Bosworth vs. Allen*, 168 N. Y. 157, 61 N. E. 163, 55 L. R. A. 751.

In England it seems to be the law that notwithstanding the general rule that a trustee's agent is accountable to the trustees only, an inquiry should be had of the circumstances attending the agent's appointment and his knowledge of the trusts affecting the property.

*Archer vs. Lavender*, Ir. R. Eq. 220.

Conceding the sake of argument only that the last proceeding reasoning is defective, yet on other grounds the Treasurer would be liable for any interest which he has privately earned on the trust fund. This is the trust of the city in favor of the bond holders. Without question the bond holders could have held the Treasurer for the increment interest on the funds. However, the city under the deficiency statute and under the 1915 law was made responsible to the bond holder for the principal and also the interest on the bonds. It has been paying such principal and interest for many years going into its own pocket to supply the deficiency created more or less from the pocketing of the interest by the Treasurer. It has paid what it was legally bound to pay and what the Treasurer was

partly bound to pay in the way of interest, to the bond holder. Even though in the first instance had the city as trustee no cause of action against the Treasurer for his retention of interest which should have been paid as increment money, yet when the city does pay the bond holder in full, under the doctrine of law known as subrogation, it steps into the shoes of the bond holder and is permitted to assert any rights which the bond holder had or might have had. The latter, as we have said, had the right before his payment in full by the city, to hold the Treasurer for the increment interest on his personal sum. The city, therefore, being subrogated to the rights of the bond holder may sue the Treasurer for the increment interest with the same right formerly possessed by the bond holder. The following excerpt from one of the leading legal publications given the general doctrine regarding the right of subrogation.

"Subrogation is the substitution of another person in the place of a creditor so that the person in whose favor it is exercised succeeds to the rights of the creditor in relation to the debt. (Johnson vs. Barrett, 117 Ind. 551, 19 N. E. 190) The doctrine is one of equity and benevolence, and like contribution and other similar equity rights was adopted from the civil law, (Spray vs. Rodman, 43 Ind. 225) and its basis is the doing of complete, essential and perfect justice between all the parties without regard to form, and its object is the prevention of injustice. The right does not necessarily rest on contract or privity, but upon principles of natural equity, (citing numerous Indiana authorities, Foot Note 6) and does not depend upon the act of the creditor, but may be independent of him and also of the debtor." - - -

37 Cyc. 363 Et. Seq.

"A general agent upon being compelled to pay a debt which should be satisfied by a sub-agent is subrogated to the creditor's right against the latter."

37 Cyc. 349.

Hough vs. Aetna L. Ins. Co., 57 Ill., 318.

Young vs. Morgan, 89 Ill., 199.

"A court of equity will not allow an agent to use trust funds in any manner by which he himself acquires a special benefit to the detriment of his principal and it will not allow him to invest the funds in securities which he himself held and in such case equity will allow the principal to be subrogated to the rights which the agent had at the time of the transaction, even though the original securities are cancelled of record."

37 Cyc. 440.

It is our view that the Treasurer insofar as this trust is concerned holds the same as an agent or a sub-agent of the principal, the city as the trustee.

Our search has not led us to any case identical in every respect to this one as relates to subrogation. But the facts and the principle of law are enunciated with remarkable similarities in the case of the U. S. Mortgage Co., vs. Henderson et al, 111 Ind. 24. In that case Henderson was the agent of the Mortgage Company under

contract that would advance payment on mortgage interest due from clients of the company when such clients failed to pay the same. In the case of the City against its Treasurer the City agreed to advance to the bond holders such interest as the Treasurers failed to pay. In the Henderson case the Supreme Court in holding that Henderson was subrogated to the amount of interest which he advanced, say:

"The stipulation in the contract, by which Henderson agreed, in case any interest on loans negotiated by him should remain in arrears for a period of ten days that he would immediately pay such interest himself, put him in such relation to the loan as entitled him to a remedy against the borrower, and to participate in the security, in the event he was called upon to pay the interest coupons."

State ex rel. Kendall vs. Green, 101 Ind., 532.

Gillett vs. Hill, 102 Ind., 531, 1 N. E., 551.

Without much doubt, the city would be entitled to be subrogated to all the rights of the holder against the Treasurer, if it, the city has paid off the bond holder in full. In addition also are other reasons for holding that the old relation of debtor and creditor between the city and treasurer does not obtain in relation to Barrett Law trust funds. The very purpose and intent of the legislature in enacting the 1915 law was directly opposed to such debtor and creditor relation giving to the treasurer the right to the interest. Its very purpose was to give this interest to the city and thus destroy one of the chief elements of the debtor and creditor relation.

Under Acts 1921, Page 851, Burns' 1926, Sections 7850-7856, in force May 31, 1921, the new Fees and Salaries Act was declared. The import of this act is that the City Treasurer is no longer invested with the legal title, namely the right to the interest, is taken from the Treasurer. The significance of this is that the former ground upon which the City Treasurer was entitled to retain the interest of funds in his hands, namely the ground that the legal title of the same was in him, seemingly has been cut out from under such right. The pertinent Sections of such Act are as follows, to-wit:—

"7850. Salary of Officers in Counties of 300,000. 1. In counties having a population of 300,000 or more, according to the last preceding United States census the following named sums shall be the salaries of the respective officials named herein;—The County Treasurer shall receive an annual salary of \$5,000.00— The salaries named herein shall be in full for all services, and no other compensation or fees of any nature shall be paid to any of the above officials except as herein provided:— Provided, that the County Treasurer shall serve as the Treasurer of the Civil City and the Treasurer of the School City of any county seat city located in such county, and, for such services, he shall receive no compensation except as provided in this Act."

"7852. Fees to be paid into the county treasury.—3. All fees, interest, penalties, costs, fines and forfeitures provided by law shall be collected by the proper officials, and shall be paid into the county treasury, except fees on delinquent tax collections and delinquent improvement assessments, which fees shall be distributed



as now provided by law; also except foreign fees collected by the sheriff, which shall belong to and be the property of the sheriff. It shall be unlawful for any official named herein to retain any fee as his own except as herein provided."

"7853. Deposits of funds.—4. Deposits must be made of all funds of any character whatsoever coming into the custody of any official named in this act, and such funds shall be held subject to the provisions of the depository laws of the State of Indiana."

"7956. Construction of Act.—7. This Act is not to be construed as diverting any portion of fees, interest, penalties, costs, fines or forfeitures from any public fund as now provided by law, but it is to be construed as supplementary to such existing law."

Under this Act the City Treasurer's salary of \$5000.00 shall be in full for all of his services with no other compensation of any nature except fees on delinquent tax collections and delinquent improvement assessments. It declared that all interest, provided by law shall be collected by the proper officials and shall be paid into the County Treasury.

Although at no time in 1921 or thereafter was it perhaps possible to pay interest into the county treasury, which is the public depository, on account of the Federal injunction, yet the intent of Section 7852, coupled with Section 7850 and Section 7853, which is also as yet inoperative by reason of the Federal injunction, was clearly that the treasurer should no longer have legal title to the fund.

It might be said that the interest "Provided by law" which shall be collected by proper officials and paid into the County Treasury under Section 7852 is not interest such as that which might accrue under Barrett Law prepayments for the reason that the latter is not provided by law. While it is true that the latter is not provided by law in a strict sense, yet in the broader sense probably used by this statute, the title to the moneys being removed from the Treasurer, this interest is provided by law for the City.

It has been suggested that the 1921 Fees and Salaries Law has repealed the 1915 Act, Section 10450, by the statement in Section 7852 and Section 7853 that interest and funds of any character whatsoever coming into the custody of the Treasurer must be deposited in a public depository. However the Federal injunction was a part of the law of this State then as it is now and the Legislature must be presumed to have had that decision in mind and to have known that the same was unreversible and unrepealable by that body. The Legislature must have known also that Barrett Law funds are not public funds but dedicated to special purposes; that they may not be indiscriminately mingled with general funds in the public depository. Section 7856 of the Act declares that it is not to be construed as diverting any portion of — interest — from any public fund as now provided by law, but it is to be construed as supplementary to such existing law. Undoubtedly this Section refers to the Act of 1915 and to funds such as the Barrett Law funds, although in a popular sense calling it a public fund; otherwise such Section would have no meaning. If there were such repeal it must



needs be by implication and repeal by implication is not favored by the law. From the foregoing we deduce that the 1915 Act was not repealed by the Act of 1921.

It is our belief therefore that inasmuch as the 1921 Fees and Salaries Act clearly shows the intention of the Legislature not to give legal title of the Barrett Law funds to the Treasurer and thereby create the relation of creditor and debtor, but to create the condition of trust or bailment as is usual in regard to a custodian of funds, that the City Treasurers are responsible at least since May 31, 1921, for any interest money which they may have obtained by private investment of the Barrett Law prepayments. To the same effect is Burns' 1926, Section 10967, Acts 1909, P. 289.

In support further of the theory that the Treasurer does not own the right to the interest on these trust funds, we might say that the decisions of the Supreme Court before 1907, that the interest belongs to the Treasurer, contrary to the great weight of American decisions, were so questionable in merit as to warrant the view that their import should be limited as much as possible. It is indeed contrary to public policy and public weel to push that import farther than the cases go themselves. They are old fashioned and not up to date with modern judicial reasoning which more highly regards the public right.

This law of Indiana in effect now except for the depository law and except for the peculiarities of specific trust funds, is to the mind of the better judicial thought in the majority of the opinions of the country, bad law.

State vs. Schamber, L. R. A. 1918, B. 803, 811 Note.

Adams vs. Williams, 30 L. R. A., (N. S.) 855 and note.

Lake County vs. Westerfield, 273 Ill., 124, 112 N. E. 308.

From the foregoing I think it would be clearly seen that the interest on Barrett Law funds, if any is privately earned by the Treasurer, belongs to the City.

If the Treasurer allowed the Barrett trust funds to lie inactive in his hands, it is a question of fact as to whether interest should be allowed against him.

"The general rule is well settled that where trust money cannot be applied either immediately or within a short time to the purposes of the trust, it is the duty of the trustee to make the fund productive to the cestui que trustent by the investment of it on some proper security."

39 Cyc. 390 and authorities.

Stanleys Estate vs. Pence, 160 Ind., 636, 66 N. E. 51.

This is but a reiteration of the law obtaining for the last 2000 years:—

Matthew, Ch. 25, v. 27.

"Where a trustee has made improper investments the cestui que trust has an election to take the original fund and legal interest

thereon, or to take the fund as invested at the time of the accounting, and all legal profits realized by the trustee thereon."

39 Cyc. 414 and authorities.

Stanleys Estate vs. Pence (supra).

Lewis vs. Hershey, 45 Ind. App. x 104, 90 N. E. 332.

"Ordinarily a trustee is not chargeable with interest on the trust funds unless he has used them for his own profit, or invested them so as to produce interest, or suffered them to lie idle when they might have been invested, or needlessly delayed settlement and surrender of the property, or in some other way shown a want of diligence and good faith."

39 Cyc. 422 and authorities.

"As a general rule, where a trustee applies trust money to his own use, as in trade, he is chargeable with interest; and also if he mingles it with his own and uses it in common."

39 Cyc. 424 and authorities.

Stanley vs. Pence (supra).

Lewis vs. Hershey (supra).

"The general rule covering the accountability of a trustee is that he shall not make a profit for himself out of the trust estate; and this rule subjects him to an account for all the interest which he makes or receives; but ordinarily he should not be charged with more than he actually receives, or in the proper exercise of his duties should have received."

39 Cyc. 426 and authorities.

"As a general rule trustees are not to be subjected to the payment of compound interest; simple interest is the rule and compound interest the exception. It is often asserted that a special case must be made out to justify the exaction of compound interest, such as wilful violation of duty or gross delinquency, and that ordinarily a trustee is chargeable only with such interest, simple or compound, as he actually receives, or in the proper and faithful discharge of his duties should have received. Where the omission of a trustee is due to mere negligence, without fraudulent intent, simple interest alone is allowed to the cestui que trust on trust funds. Where, however, the trustee uses the trust moneys in trade or speculation for his own benefit or advantage, or sells trust stocks and applies the proceeds to his own use, or refuses to follow the directions of the trust instrument as to investments, or disregards a direction for accumulation, or conducts himself fraudulently in the management of the funds, and in all other instances depending upon like principles, interest may be compounded either as a penalty, or as a measure of damage for undisclosed profits and in place of them. A court of equity has power to compound interest annually, or at longer or shorter periods, according to the delinquency of the trustee."

39 Cyc. 428 et seq. and authorities.

The rule in Indiana seems to be that where a trustee improper-

ly uses the trust fund, he is liable at least for interest at the rate of 6% per annum thereon.

Stanley vs. Pence, (supra).

Lewis vs. Hershey, (supra).

37 A. L. R. 447-441

1 A. L. R. 1645.

Under the foregoing conclusions let us examine the method by which we can start right and start at once to get this interest into the City's hands. The 1915 law with its every obligation and duty is now in full force and effect. The present Controller should immediately ascertain the amount of this fund, immediately invest in the new bonds required of the full amount of the fund, and send his order at once for their payment to the City Treasurer. If he should fail in this he and his bondsmen will be liable to the City for damages on the ground of neglect of express statutory duty. The Treasurer should immediately honor such order for investment in the new bonds, receive the same and hold them for the purposes designated in the Act of 1915, at his peril. If he does not so do, suit of mandate or other appropriate legal action shall be brought against him by the legal department of the City or other proper authority and damages asked against him and his bondsmen for neglect of express statutory duty. The law also provides impeachment and even criminal prosecution for officers who refuse to perform such duties. The controller need not wait for the enactment of the ordinance I append hereto, for the same, although helpful, is not at all necessary.

The implications in your request and the requirements of civic bodies and the public calling for an opinion from me on the liability of past officers for the loss of interest to the City necessitates an answer. This answer I am bound in good conscience and under oath of office to give. In all the discussion heretofore, one element as to the 1915 law has been overlooked as to liability of officers. The original primary duty of the investment plan of the 1915 law, is upon the City Controller. The statute expressly places upon the City Controller the duty of investing in bonds and placing the same in the hands of the City Treasurer for further action. According to report, this the Controller has never done under the 1915 Act. A mere verbal request upon the Treasurer for the funds would not exculpate the Controller; he must do his full duty; he must buy bonds and send his order to the Treasurer therefor and then and not until then does the Treasurer's duty begin. If according to report, the Controllers since its passage under emergency clause in February 1915, have failed to go the full length required of them by the law in investing in bonds and ordering their payment from the Treasurer, then each and all of such Controllers so offending may probably be successfully sued for neglect of duty and for damages easily ascertained from the loss of interest on bonds to be calculated on the amounts respectively which should have been invested under the Act. Recovery against controllers is clearer and easier in the law than against treasurers. Questions as to the running of the Statute of Limitations and the liability of bondsmen will be discussed later. To my view the the Controllers, if they have failed to do their duty as outlined, are primarily responsible for the loss of inter-



est to the city under the 1915 Act. If the City recovers against the Controllers its loss it cannot recover again from the Treasurers.

In addition to such liability of the Controllers, it goes without saying under the views expressed to show that the present City Treasurer has no right to interest on these funds; that all former Treasurers are probably legally liable to the City for such interest as they may have obtained by private investment of the same, unless the Statute of Limitations has run in their favor or the loss made good through suits against Controllers. This follows inevitably if the present Treasurer may not retain the interest.

It may be that your body and the public desire only that the thing shall proceed properly from now on and that a general amnesty be declared as to the past. It is common knowledge that the Treasurer, by political parties has been heavily assessed for campaign funds and amerced in many other ways because of the fact that he was reputed as a recipient of this interest. The people have known for years that the interest has made the Treasurer's office a prize, but they have never taken efficient steps to stop the practice. They are not estopped in law, but they may feel that they are in good conscience. However, the question of amnesty is to a great extent not for me to determine, but for you and the public. I think I can say with some degree of assurance that from now on the thing may readily be straightened out. The present Controller and City Treasurer are, I think, willing to do their duty, but if not they can be forced to do so either by mandate or impeachment or other remedy. The Mayor also has considerable powers to enforce obedience. Burns, 1926, Sec. 10311 (11th).

Should it be your desire and that of the public that I as Corporation Counsel proceed against past Controllers and Treasurers I will do so if in the case of the Treasurers, it should appear that this office has such power. The available method of obtaining the requisite information is apparently the State Board of Accounts. On such information it is the duty of the Attorney General, to whom the findings of the Board are first given, to bring the actions against the Treasurers and bondsmen for the interest. Such was the procedure in the Von Hake case. If the Attorney-General does bring suit first, suits by others are precluded.

Burns, 1926, Sections 12645, 12660, 12663, 12664.

State ex rel. vs. Sonderman, 80 Ind. App. 443.

The Sections giving the Legal Department power to represent the City in its legal business, etc., have not been repealed by such Sections 12645, 12660 and 12663. Such Sections are merely cumulative. Local self-government requires that a City should be permitted to look out for its own affairs.

As to actions against former Controllers it is my view that this department might possibly sue to the exclusion of the Attorney-General on the Board's report on the ground that the Attorney-General's power to sue to "carry into effect the findings resulting from such examination and secure to the proper municipality the recovery of any funds misappropriated, diverted or unaccounted for" might be read conjunctively and not disjunctively. In such case the Attorney-General could not sue except when both elements of such power



were present; carrying into effect the findings and also when funds are misappropriated, etc. Suit against the Controller would be for neglect of duty and for damages therefor, not for misappropriation. But the damages could not be well ascertained without the Board's findings as to amounts and various other facts.

Also Section 14351, Burns 1925, may be construed by the courts as giving the prosecuting attorney the authority to sue treasurers.

I might add that pursuit of past interest or for damages against Controllers and Treasurers will mean hard and bitter fights extending over years perhaps. If the order is to proceed against such individuals it will be necessary or at least wise that complete audits be made either by the State Board of Accounts or others of the Barrett Law funds at their proper intervals and then after suit is brought either by examination out of court or by interrogatories under oath, it can be ascertained what amount, if any, the Treasurers have earned privately on these funds and Controllers have lost by their neglect. It would probably be necessary in order that there be a continuity of effort uninterrupted by individuals passing out of office, that you or civic bodies furnish additional legal counsel or funds therefor before proceeding as against past officials. At least such information as I have suggested should be obtained. However, it is not legally a matter of my concern as to the wishes of the public in reference to the pursuit of past funds yet lawsuits of this kind are generally unprofitable in result unless following the public wish. I will therefore be pleased to know not only your attitude but also that of the public in this matter. Your attitude, of course, may be made known to me by furnishing me the information suggested, some thing which this office is utterly unequipped to find out and discover for itself. Pursuit of former interest in court by this office, an immense and complicated problem, could only be done by us without sacrifice to more pressing present problems, with additional legal help. This office for its ordinary problems is woefully undermanned. We would now welcome either as a volunteer or as one furnished by some civic body, an attorney at law well versed in Federal practice, to assist us in an immediate effort to modify or set aside the Federal injunction; to compel by proper legal steps, the officers charged with putting the 1915 law into effect, to perform their duties should they, as we do not now anticipate, refuse to so perform.

The bond of the City Controller shall cover all of his official acts. This is sufficient to cover any neglect of his in complying with the 1915 Act.

Burns, 1926, Sec. 10309, Acts 1909, p. 236.

The bondsmen of the Treasurer in my view are liable for his retention of any interest privately earned.

Burns, 1926, Secs. 10311 (11th), 10949, 10967, 10971, 11567, 11597.

As to limitation of actions, the statute declares:—

“Second. All actions against a sheriff or other public officer, or against such officer and his sureties on a public bond, growing out of a liability incurred by doing an act in an official capacity, or by the omission of an official duty (suit shall be brought), within 5

years; but an action may be brought against the officer or his legal representative, for money collected in an official capacity and not paid over, at any time within six years."

Burns, 1926, Sec. 302.

It would appear by the cases cited under the above section that the same would apply to suits by the City. However, under the above cited sections wherein the Attorney-General sues for the State on the relation of the City, a different rule might apply. The statute of limitations does not run as to the State, except in case of sureties, and in a case such as this if the public has an interest to the extent that the State is not a mere nominal party, limitations would not run as against former treasurers and controllers.

State ex rel. vs. Halter, 149 Ind. 392, 47 N. E. 665.

Penn. Co., vs. State, 142 Ind., 428, 41 N. E. 937.

To the contrary there is a more recent decision of a court of lesser authority.

State ex rel. Board vs. Stuart, 46 Ind., App. 611, 91 N. E. 613.

There may be other grounds under the theory of trusts, the express wording of the bonds, or statutes or ordinances overlooked, which might further arrest the operation of the limitation of the statute.

Until the Federal injunction is modified so that the Barrett prepayments may be placed in the public depository pursuant to the 1921 Act, it should be the duty of the Controller to see that all special funds, including the payments in full and in advance by persons assessed capable of bringing in interest now to the public on large sums for thirty days before being applied to improvements, and Barrett prepayments before bonds can be purchased with them, are carefully checked up daily. Such sums as the Controller could not forthwith invest in new bonds, should by agreement between the Controller and Treasurer be placed in the City's name at three or four per cent. interest in a sound bank or trust company or the ordinance I have suggested could be invoked to compel that the same be done as a temporary measure pending the modification of the Federal injunction.

Under our views, it is now premature to suggest any changes in the State law as to Barrett law funds. Let the 1915 Act be given a chance for the remainder of the year. If it approximates the wishes of its framers it will have vindicated itself; if it does not, then a new plan should be considered. Much tampering with a law will result in the chaos which for so many years has lost the public very large sums.

It is undoubtedly true that both Treasurers and Controllers in the past have done as they have done in good faith and under competent legal advice. The Treasurers under the decisions of the cases mentioned herein and the interpretation of the debtor and creditor theory of funds, have to my view honestly thought themselves to be entitled to the interest and now probably have under such notion spent the same. The Controllers as well as the Treasurers, relying

upon the advice or lack of advice of the legal department of the City, of the State Board of Accounts, and other authorities, have rested in the belief that they were pursuing the right course. The public failing to insist that some competent legal authority thresh out this question to the very rags, has encouraged this belief. In bringing suits for the past, the City would be making to some extent, scapegoats of those in office during the last five years and releasing all the others for 25 years back. Well meaning orators urge the immediate pursuit of these claims which I must inform you are to some extent debatable, but it is well before any action that you consider whether under all the facts and circumstances, such pursuit would be fair, keeping in mind the delinquencies of the public heretofore. Perhaps in such pursuit one might get a legal slap such as the Federal and Von Hake decisions, which would disarrange all efforts to properly adjust the matter from now on, putting us to sleep for another twenty years.

Respectfully Submitted,

ALVA J. RUCKER,  
Corporation Counsel.

#### REPORTS FROM SELECT COMMITTEES

Indianapolis, Ind., May 18, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee to whom was referred General Ordinance No. 30, 1926, entitled "Transferring \$2,000 in Board of Works Department," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

MILLARD W. FERGUSON, Chairman  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD  
WALTER R. DORSETT  
CLAUDE E. NEGLEY

#### INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the City Controller:

##### GENERAL ORDINANCE NO. 31, 1926

AN ORDINANCE, abolishing the position of one of the two regular foremen employed at the rate of Fifteen Hundred (\$1,500.00) Dollars per year each, in the Asphalt Repair Department under the Board of Public Works, and increasing the salary of the Assistant Superintendent of such Asphalt Plant Department from Sixteen Hundred and Twenty (\$1,620.00) Dollars to Two Thousand Four Hundred (\$2,400.00) Dollars per annum, and declaring a time when the same shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the position of one of the two regular foremen employed at the rate of Fifteen Hundred (\$1,500.00) Dollars per



annum each in the Asphalt Repair Department under the Board of Public Works be hereby and the same is now abolished.

Section 2. That the salary of the Assistant Superintendent in such Asphalt Plant Department is hereby increased from the sum of Sixteen Hundred and Twenty (\$1,620.00) Dollars per annum to the sum of Two Thousand Four Hundred (\$2,400.00) Dollars per annum, such increase to go into effect immediately upon the passage of this ordinance.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a special committee appointed by the President of the Council, consisting of Mr. Ferguson, Chairman; Messrs. Albertson, Todd, Bartholomew and Dorsett.

By the City Controller:

GENERAL ORDINANCE NO. 32, 1926.

AN ORDINANCE, providing for the immediate investment by the City Controller in bonds of all prepayments and moneys prepaid by persons assessed for public improvements and who have taken theretofore the privilege of payment by installments under the Barrett law; providing a method for the immediate payment of such bonds by the City Treasurer upon warrant of the City Controller; providing for the immediate deposit in a bank or trust company to be selected by the Mayor, of all special funds in the hands of the City Treasurer undeposited in public depositories, in the name of the City of Indianapolis, as trustee, and incapable at the time of being used in the purchase of such bonds; providing that such deposits shall draw interest at the rate of 3% per centum or more per annum and that such interest shall be the property of the City as such trustee for the payment of interest due on bonds issued originally for the payment of such public improvements and declaring a time when this ordinance shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. It is one of the intents of this ordinance to put into immediate effect provision of Section 1 of Chapter 129 of the Acts of the General Assembly of Indiana for the year 1915, page 548.

Section 2. That it shall be the duty of the City Controller, acting for and in behalf of the City to immediately invest the "Special Fund" created by said Act of 1915, and all prepayments and moneys prepaid by persons assessed for public improvements and who have taken theretofore the privilege of payment by installments under the Barrett law, commonly so called, and all moneys of such nature and kind in the hands of the City Treasurer, in bonds similar in kind and character, at par, for the benefit of said city as trustee for the holders of the bonds and interest coupons upon which such prepayments were made and such Controller shall immediately purchase and arrange for the purchase of such bonds of such "Special Fund."



Section 3. The City Controller immediately upon such purchase by him of such bonds shall make warrant and order upon the City Treasurer for the payment thereof from such "Special Fund" and such prepayment money, and shall forthwith upon the receipt by him, the City Controller, of such bonds after their purchase, place and deposit the same in the hands of the City Treasurer, who shall hold and collect the same as other bonds are collected, applying the money thereof in payment of the installment of interest and principal of the bonds upon which said prepayments were originally made, or to said city, provided that it has paid the same.

Section 4. The City Controller shall keep a constant check and account of all such prepayment money paid into the hands of the City Treasurer and shall immediately make such purchase of such bonds of such "Special Fund," whenever there are sufficient sums in the hands of such City Treasurer to purchase any bonds or bonds as defined in said Acts of 1915.

Section 5. The warrant or order of the Controller for the payment of such "Special Fund" bonds shall be in the form as now required by law except that such warrant or order shall not have the name of the public depository stamped thereon until such time as such prepayment money is or may be deposited in a public depository.

Section 6. That it shall be the duty of the City Treasurer to forthwith honor and pay all orders and warrants so issued and directed to him in relation to said money of said "Special Fund," and the same is hereby legalized and declared to be lawful and mandatory upon said City Treasurer.

Section 7. That it shall be the duty of the City Controller to keep constant check and to know at all times the exact amount in the hands of the City Treasurer paid in heretofore or hereafter for public improvements of any nature and description, whatsoever, including such moneys so paid in by persons assessed therefor, who without accepting the installment privilege of the Barrett law, pay or have paid their assessments therefor in advance and in full in accordance with law, and all other special or specific funds whatsoever, and it shall be the duty of the City Controller to ascertain and to know as to whether or not such moneys together with the said moneys of said "Special Fund" of the said 1915 Act incapable of being used for the purchase of said "Special Fund" bonds for any reason, have been properly deposited by the City Treasurer pursuant to the provision of this ordinance, and in case of any such failure on the part of the City Treasurer, it is hereby declared to be the duty of the Controller to forthwith report the same to the Mayor for proper action.

Section 8. That it is hereby made the duty of the Mayor, until such time as the "Special Funds," trust funds, and other moneys mentioned herein may be deposited in public depository, to forthwith name a certain bank or trust company or banks and trust companies which have complied with the requirements of the banking and trust company laws of this state or of the United States and are of good repute and sound, and shall forthwith in writing order the City Treasurer to deposit such moneys in such bank or trust company or banks and trust companies in the name of the City of Indianapolis, Trustee,

such deposits to bear interest in favor of such city, trustee, at the rate of 3% per annum or more if obtainable.

Section 9. That it shall be the duty of the City Treasurer to forthwith comply with such order of the Mayor as prescribed in the next preceding section hereof and in case the Mayor should fail to forthwith make such order then the City Treasurer shall immediately deposit such moneys in a similar bank or trust company, banks or trust companies of his own choosing in the name of the City of Indianapolis, Trustee, at the rate of 3% interest per annum in favor of such city, trustee, or more, if the same be obtainable. The City Treasurer shall forthwith honor all legal warrants and orders by the Controller on any sums so deposited.

Section 10. That it is hereby declared that such funds so deposited in the name of the City of Indianapolis, Trustee, shall together with the interest thereon, be held by such Trustee in trust for the purposes to which they have been dedicated and should any interest thereon be unclaimed by the specific creditors or cestui que trusts of such funds or any parts thereof, then it shall be the duty of the city to apply the same to any deficiencies in the Barrett Law fund to meet principal or interest on bonds theretofore issued for the payment of public improvements.

Section 11. That should for any reason the funds and moneys herein mentioned not be deposited as required by this ordinance yet any interest earned thereon shall be the property of said City as Trustee.

Section 12. That it shall be the duty of the City Treasurer to report daily in writing to the Controller of all such funds and moneys so received by him as such treasurer, if any are so received.

Section 13. That should any part or parts hereof be or become invalid yet such invalidity shall not affect the validity of any other part of section of this ordinance.

Section 14. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By Mr. Bartholomew:

GENERAL ORDINANCE NO. 33, 1926.

#### SWITCH CONTRACT

AN ORDINANCE, granting to the Link Realty Company the right to lay and maintain a sidetrack or switch, from the east line of Koehne Street to the west line of Koehne Street, according to the blueprint attached hereto, in the City of Indianapolis, Indiana.

WHEREAS, the Link Realty Company, a corporation of Indianapolis, Marion County, Indiana, desires the right to lay, maintain, and operate a sidetrack across Koehne Street, a public highway, in the City of Indianapolis, Marion County, Indiana, said sidetrack to

run from the east line of said Koehne Street to the west line of said Koehne Street, as per the blueprint hereto attached, and which is for identification, marked "Exhibit A;" and

WHEREAS, on the 15th day of April, 1926, the said Link Realty Company filed its petition before the Board of Public Works in the City of Indianapolis, Indiana, as follows:

To the Honorable Roy C. Shaneberger,  
Honorable L. H. Trotter,  
Honorable Oren S. Hack,  
Members of the Board of Public Works of Indianapolis,  
Indiana:

Gentlemen—We, the owners of the property bounded on the north by Market Street, on the east by Harding Street, on the west by Koehne Street, and running south from Market Street to the right of way of the C. I. & W. and P. E. Railway Company, in the City of Indianapolis, Indiana, hereby respectfully petitions your Honorable Board for authority to construct a switch east and west across Koehne Street, in said city, for the following reasons, to-wit:

1. The switch for which we petition was originally across the street, but owing to the improvement or lowering of the street by reason of the elevation of the railroad tracks across Koehne Street, it became and was necessary to make such an approach on Koehne Street both from the south and north of said elevation, that it left the switch three or four feet above the surface of the street as it was afterwards constructed, and that then and thereby and as a result of said improvement it became and was necessary to remove said switch across said street.

2. The necessity for the maintenance and operation of said switch still remains, and your petitioners, by and through their counsel, now respectfully petition for permission to reconstruct said switch connecting the east side of Koehne Street with the west terminus of the switch on petitioner's property on the east side of Koehne Street, thus re-establishing the switch across said street.

3. Your petitioners further petition for permission to construct said switch at their expense, and they agree to construct it in such a manner and form and under such terms and conditions as may be imposed on them by the City of Indianapolis, by its Engineer.

4. That inasmuch as Koehne Street is now proposed to be improved, it becomes necessary for said Engineer, if your Honorable Board will grant such permission, to make an inspection thereof promptly, and report back to your Honorable Board.

5. Your petitioners further show to your Board that Koehne Street is a very little used street, and that there is little or no vehicular traffic over the same, and that the running of said switch will not impose any additional burden or servitude upon the people of Indianapolis or the adjacent property owners.



6. That in support of the contentions of your petitioners herein the petitioners file herewith and make a part hereof, and for certainty marked as "Exhibit A," a blueprint of the right of way of said railroad, of the streets contiguous to the proposed street and containing a general outlay of the community and proposed switch.

7. Your petitioners further show that if said switch can be reconnected they have in mind certain negotiations for an industrial establishment at that point, but on account of the situation as outlined in "Exhibit A" they cannot complete said negotiations and cannot secure an outlet which they formerly had from the people, and under present conditions cannot secure any outlet for the proposed purchasers or purposes in the use of said switch, unless said switch is built across Koehne Street as it originally existed.

8. Your petitioners further say that they will do and abide all reasonable rules and restrictions concerning the establishment and maintenance and operation of said switch.

THE LINK REALTY COMPANY, A CORPORATION,

By JOSEPH A. COHEN, Pres.

NOW THEREFORE, this agreement, made and entered into this 15th day of April, 1926, by and between the Link Realty Company, of the City of Indianapolis, County of Marion, State of Indiana, party of the first part; and the City of Indianapolis, by and through its Board of Public Works, party of the second part;

WITNESSETH: That the party of the first part being desirous of securing a right of way for a sidetrack or switch from the east line of Koehne Street, in the City of Indianapolis, Marion County, Indiana, to the west line of Koehne Street, in said city and state, said switch to reach at its termini across said street and sidewalk thereof, and to be connected with the tracks of the party of the first part on the property of the party of the first part, on the east and west boundaries of said Koehne Street;

WITNESSETH: That the party of the first part being desirous of securing such right of way for such switch or track, hereby covenants and fully binds itself, its successors, legal representatives and assigns, that, in consideration of the grant of the privileges and authority herein given, it will lay, construct and maintain said track upon the terms and conditions hereinafter set forth, to-wit:

(1) It shall be so laid, improved, constructed, and kept in repair as to be safe for persons on foot, in vehicles, or otherwise, and shall at all times be subject to the reasonable orders of the Board of Public Works of the City of Indianapolis, Indiana.

(2) Said track and switch shall be laid upon such grade as shall be established by said Board, and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade from time to time hereafter established, whenever so ordered in writing by said Board, and shall be made to conform in all respects with any ordinance passed by the Common Council or with any resolution or resolutions made by said Board, for the elevation or depression of said tracks.



(3) The crossing where said track intersects said Koehne Street shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving them back and forth, and they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

(4) Said party of the first part agrees, upon the written order of said Board, made for any good cause affecting the interest of the City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days, to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in no wise become a trespasser.

(5) The party of the first part agrees to pave between said tracks to the entire satisfaction of the second party, and in case said tracks shall be or become out of repair or in need of being reconstructed or become in any way defective (of which fact the said Board shall be the exclusive judge), it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing of ten (10) days, said Board shall do or cause to be done at the expense of the said party of the first part, and for which expense and cost the said party of the first part shall be liable.

(6) The said party of the first part herein binds himself to hold said party of the second part and said City harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said city, and also to pay all necessary expenses that may be incurred by said city in defending against any such claims.

(7) Any violations of any of the provisions of this instrument by said party of the first part, or by any one for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authority given or granted by the contract, provided, however, that the same may be terminated by said Board as hereinafter set forth.

(8) That said track and switch shall be built under and pursuant to the blueprint and plat which is attached hereto, made a part hereof, and for certainty marked "Exhibit A."

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 15th day of April, 1926.

THE LINK REALTY COMPANY,  
By Joseph A. Cohen, President  
Benjamin Cohen, Secretary  
Party of the First Part.

Witness:

G. W. Jacque.

CITY OF INDIANAPOLIS,  
By R. C. Shaneberger, President  
R. C. Trotter  
Orin S. Hack,  
Board of Public Works.  
Party of the Second Part.

AND WHEREAS, said contract has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis, Indiana, for its consideration and action, now therefore,

Section 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, that such contract above set forth be and the same is hereby in all things confirmed and approved.

Section 2. This ordinance shall be in full force and effect from and after its passage.

OTIS E. BARTHOLOMEW.

Which was read a first time and referred to the Committee on City Welfare.

By Dr. Todd:

#### GENERAL ORDINANCE NO. 34, 1926

AN ORDINANCE to amend Section 760 of General Ordinance No. 121, known as "Municipal Code of Indianapolis, 1925" and entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation, and with stated exceptions repealing all former Ordinances."

*Be it ordained by the Common Common Council of the City of Indianapolis, Indiana:*

SECTION 1. That Section 670 of General Ordinance No. 121 known as "Municipal Code of Indianapolis, 1925" and entitled "An Ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions repealing all former ordinances" be amended to read as follows:

"Section 670. Right of Way. (a) Fire Department vehicles, Police Department vehicles, Salvage Corps vehicles, U. S. Mail vehicles, Emergency Ambulances, both public and private, and Emergency Repair vehicles of all public utility companies and funeral processions shall have the right of way over all traffic in any street or other public place and through any procession provided however, that the Fire and Police Department vehicles shall have the right of way over every other kind of traffic whatsoever and provided,

further, that the Fire Department shall have the right of way over Police Department vehicles, and all others shall have right of way in the order named.

(b) Traffic from the right shall have the right-of-way over traffic from the left, except as hereinafter provided.

(c) Traffic on Washington Street and all boulevards as established by the Common Council or the Department of Park Commissioners of such city, shall have the right-of-way over all traffic on other streets unless hereinafter otherwise provided.

(d) Traffic on Massachusetts, Indiana, Kentucky and Virginia Avenues, shall have the right-of-way over all traffic on other streets.

(e) On East New York street, from the Big Four Railroad tracks to Emerson Avenue, east and west traffic shall have the right-of-way over the north and south traffic. On East Michigan Street from the Big Four Railroad tracks to Emerson Avenue, the east and west traffic shall have the right-of-way over the north and south traffic. On East Tenth Street from the Big Four Railroad track elevation to Emerson Avenue, the east and west traffic shall have the right-of-way over the north and south traffic. On West Michigan Street from White River, west to the City limits, east and west traffic shall have the right-of-way over the north and south traffic. On Oliver Avenue from White River west to the City limits, the east and west traffic shall have the right-of-way over the north and south traffic. On Morris Street from Shelby Street west to Eagle Creek, the east and west traffic shall have the right-of-way over the north and south traffic, and all traffic in Harding Street at the intersection of Morris Street shall come to a complete stop before entering into or crossing Morris Street at the intersection of Morris and Harding Streets. On Capitol Avenue from Washington Street to Maple Road Boulevard, the north and south traffic shall have the right-of-way over the east and west traffic. On Meridian Street from Washington Street to the canal the north and south traffic shall have the right-of-way over the east and west traffic.

(f) All vehicles, city and interurban cars approaching any of the following named streets and avenues shall come to a complete stop before continuing into or across the same: North Capitol avenue from Washington Street to Fiftieth Street; Meridian Street from Washington Street to Canal; East New York Street from the Big Four Railroad tracks to Emerson Avenue; Marlowe Avenue from Dorman Street to Randolph Street; East Michigan Street from the Big Four Railroad tracks to Emerson Avenue; Washington Street from the city limits on the east to the city limits on the west; Maple Road Boulevard from Northwestern Avenue to Fall Creek and Fall Creek Boulevard north; Clifton Street from Roache Street to and including Thirty-Sixth Street. The above named streets and avenues as set out in this sub-section (f) are hereby declared to be preferential streets for the purpose of regulating traffic upon or crossing over the same.

(g) At street intersections where silent policemen are placed, vehicles entering such intersection shall not cross the center of such intersecting streets, if at such time another vehicle is approaching from its right and about to cross its path, and is at a point within

three (3) feet of such intersection. Such vehicle at the right unless herein otherwise provided, shall have the right-of-way over such other vehicle.

(h) The driver of any vehicle on the approach of any fire or police apparatus shall immediately drive said vehicle to the curb at the right hand of the driver and stop such vehicle until such apparatus is passed.

(i) No vehicle shall follow closer than three hundred (300) feet of any fire apparatus while the same is answering an alarm of fire, and shall not approach said fire apparatus, or park said vehicle within six hundred (600) feet of the same after said apparatus has arrived and stopped at the destination of a fire.

(j) Street cars, upon the approach of such fire or police apparatus shall be stopped immediately, if between a street intersection.

(k) The driver of any vehicle shall not enter any street intersection, if police or fire apparatus is approaching such street intersection within a distance of three hundred (300) feet."

SECTION TWO This ordinance shall be in full force and effect from and after its passage and due publication as required by law.

Which was read a first time and referred to the Committee on Public Safety.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS

Mr. Albertson presented the following written motion:

Indianapolis, Ind., May 17, 1926.

Mr. President: I move that the President of the Council, appoint a committee to work in conjunction with the Board of Safety in trying to get better protection at the following R. R. crossings at 25th and C. I. & L. Ry. Co., L. E. & W. R. R. Co., N. Y. C. & H. R. R. Co.

O. RAY ALBERTSON,  
Councilman.

The above motion, seconded by Mr. Springsteen, was unanimously adopted and referred to the Committee on Public Safety.

#### ORDINANCES ON SECOND READING

Mr. Bartholomew called for General Ordinance No. 30 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr.



Todd, General Ordinance No. 30 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 30 was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs Dorsett, Todd, Bartholomew, Springsteen, Albertson, Ferguson and President Boynton J. Moore.

On motion of Mr. Albertson, seconded by Dr. Todd, General Ordinance No. 26 was stricken from the files.

At this time Mr. Bartholomew addressed the Council as follows: "I understand there have been some hard remarks on this ordinance. (General Ordinance No. 32). I wish to notify everyone present that it is not our policy for anyone to suspend the rules to pass an ordinance or make a law without due consideration. You will find that it is going to be hard to pass any ordinance under suspension of the rules. Now there are some citizens who say we are working to pass this ordinance. I want to say this—we will be glad at any time to be investigated on anything on all of our actions in this City Council. We are for the City of Indianapolis and we ask your co-operation and I believe we can make Indianapolis better and bigger so please don't say hard things of matters you know nothing about."

A representative of the Irvington Business Men's Association addressed the Council in regard to Special Ordinance No. 2 referring to the extension of the city limits to the east side of Arlington Avenue from Washington Street to Tenth Street.

Mr. Dorsett notified the Council that there would be a meeting of the Committee on Public Works in the Council Chamber at one o'clock p. m. May 19.

On motion of Mr. Bartholomew, the Common Council of the City of Indianapolis adjourned at 8:30 o'clock p. m.

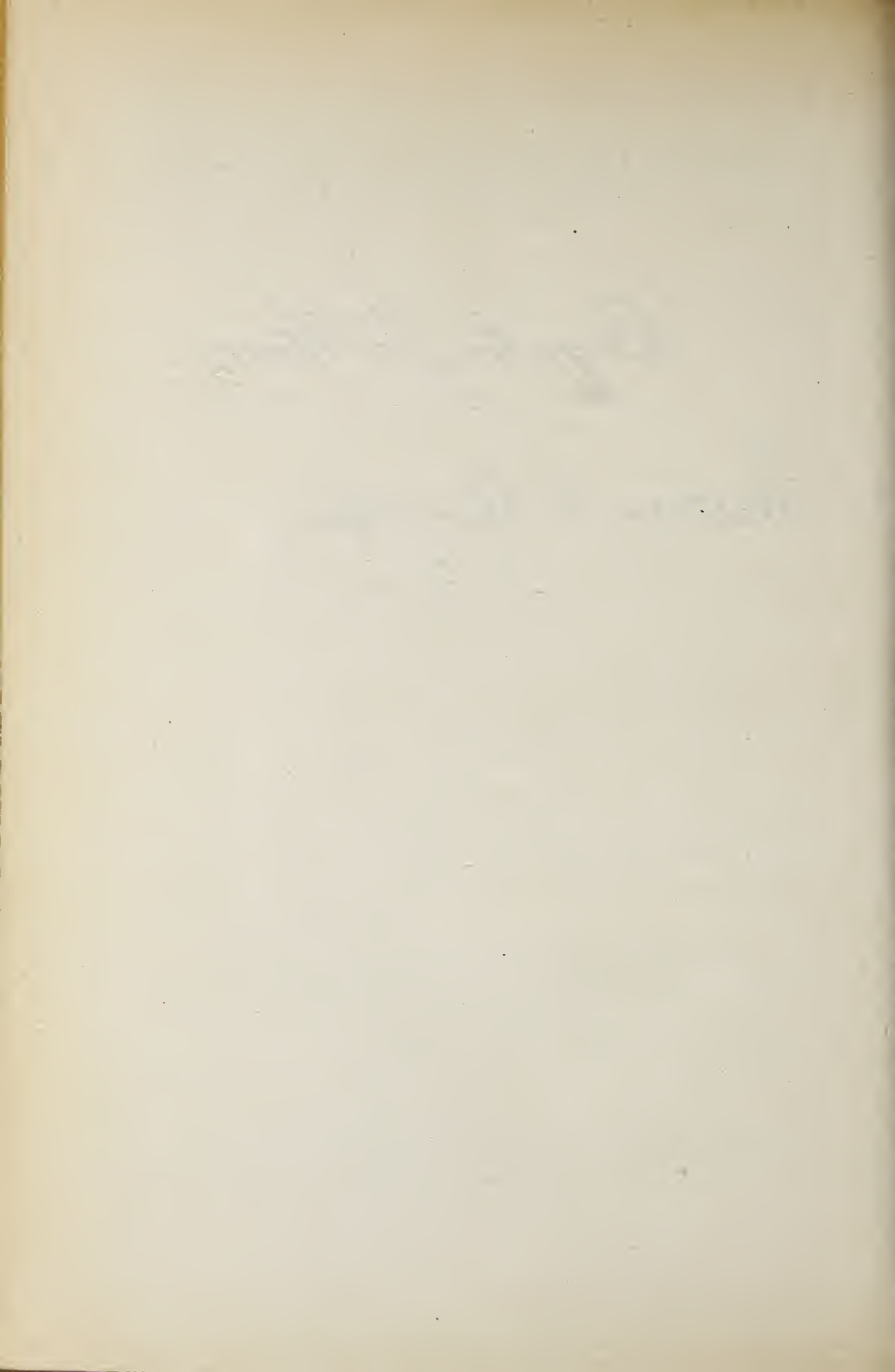
*Boydton J. Moore*

President.

Attest:

*William A. Boyce, Jr.*

City Clerk.



## SPECIAL MEETING

Friday, May 28, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, May 28, 1926, at 7:30 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

May 26, 1926.

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Friday, May 28, 1926, at 7:30 p. m.

The purpose of such meeting being to receive the introduction of ordinances effecting daylight saving, inspector of detectives, and market master and for the consideration of General Ordinances Nos. 31 and 33 and Special Ordinance No. 2, 1926.

Respectfully,

BOYNTON J. MOORE.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WILLIAM A. BOYCE,

City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and seven members, viz.: Walter R. Dorsett, Claude E. Negley, O. Ray Albertson, Dr. Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen and Millard W. Ferguson.

Absent: Edward B. Raub.

## COMMUNICATIONS FROM THE MAYOR

May 21, 1926. --

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to William A. Boyce, Jr., City Clerk, General Ordinance No. 30, 1926—An Ordinance, transferring the sum of Two Thousand (\$2,000.00) Dollars from the Garage and Motor Fund No. 33, Department of Public Works, and reappropriating the same to Equipment Fund No. 72, Department of Public Works, and recreating Equipment Fund No. 72, Department of Public Works, in so far as heretofore it may have been defective, and fixing a time when the same shall take effect.

J. L. DUVALL,

Mayor.



## REPORT FROM SELECT COMMITTEES

Indianapolis, Ind., May 28, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee to whom was referred General Ordinance No. 31, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be not passed.

M. W. FERGUSON  
WALTER R. DORSETT  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD  
O. RAY ALBERTSON.

## INTRODUCTION OF GENERAL ORDINANCES

By Mr. Bartholomew:

## GENERAL ORDINANCE NO. 35, 1926

AN ORDINANCE, to establish daylight saving time in the City of Indianapolis, declaring that Central Standard Time shall hereafter be advanced one hour for the purpose of daylight saving.

WHEREAS a number of the large cities of the United States are now operating under daylight saving time, and

WHEREAS there have been a great many requests by large manufacturers and citizens of Indianapolis that the Common Council pass an ordinance, and

WHEREAS the use of daylight saving time in the City of Indianapolis would benefit and convenience a large number of people,

*Now Therefore, Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Central Standard Time shall hereafter be the official time within the City of Indianapolis, for the transaction of all City, Official and Private business, except that at 2:00 o'clock a. m. from the first Sunday in June of this year official time for the City of Indianapolis shall be advanced one hour and at 2:00 o'clock a. m. on the last Sunday in October of this year such official time shall by the retarding of one hour be returned to Central Standard Time; that at 2:00 o'clock a. m. on the first Sunday in May until 2:00 o'clock a. m. of the last Sunday in October of each year thereafter such official time shall be observed; and all legal or official proceedings of the Common Council shall be regulated thereby and when by any ordinance, resolution or action of any municipal officer or body an act must be performed at or within a prescribed time it shall be so performed according to such official time.

Section 2. All clocks, watches or other time-pieces in or upon public buildings, maintained at the expense of the City of Indianapolis, shall be set and run according to the official time as provided

in Section 1 hereof, and it is hereby made the duty of the officer or person having control of such building and premises to see that the said clocks, watches or other time-pieces are set or run in accordance with the official time as provided by this ordinance.

Section 3. All persons residing within the corporate limits of the City of Indianapolis and all persons, firms or corporations doing business within said City are hereby requested to set and run any and all clocks, watches or other time-pieces under their control (within the City) in accordance with the official time as provided by Section 1 of this ordinance.

Section 4. This ordinance shall be in full force and effect on and after its passage.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 36, 1926

AN ORDINANCE, to amend Sub-section R, entitled Public Market Division under Department of Public Safety, of Section 608 entitled Designation of Officers and employees, of General Ordinance No. 121, 1925, being an ordinance concerning the government of the city of Indianapolis, providing penalties for its violation and with stated exceptions repealing all former ordinances.

*Be it ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That sub-section R, entitled Public Market Division under Department of Public Safety, of Section 608 entitled Designation of Officers and employees, of General Ordinance No. 121, 1925, be amended by striking out of said sub-section R entitled Public Market Division under Department of Public Safety, of Section 608 entitled Designation of Officers and employees, of General Ordinance No. 121, 1925, the following figures and words:

"1. Marketmaster and Custodian of Tomlinson Hall."

"2. Assistant Marketmaster."

And by renumbering the various positions under sub-section R entitled Public Market Division under Department of Public Safety, of Section 608 entitled Designation of Officers and employees, of General Ordinance No. 121, 1925, so as to conform to the striking out of said positions of Marketmaster and Custodian of Tomlinson Hall and Assistant Marketmaster.

Section 2. That the offices of Marketmaster and Custodian of Tomlinson Hall and Assistant Marketmaster in the Division of Public Market under the Department of Public Safety of the City of Indianapolis are hereby abolished.

Section 3. That the duties heretofore performed by the Marketmaster and Custodian of Tomlinson Hall and Assistant Marketmaster are hereby transferred to the Secretary of the Board of Public Safety of the City of Indianapolis and that individual is hereby made responsible for the caretaking of said Tomlinson Hall and Public Market.

Section 4. That said sub-section R entitled Public Market Division under Department of Public Safety, of Section 608 entitled Designation of Officers and employees, of General Ordinance No. 121, 1925, shall be amended to read as follows:

(r) Public Market Division under Department of Public Safety:

1. Two Watchmen.
2. Six Janitors.
3. Matron.
4. The Secretary of the Board of Public Safety of the City of Indianapolis is hereby made responsible for the custody of Tomlinson Hall and the management of the Public Market.

Section 5. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Safety.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 37, 1926

AN ORDINANCE, to amend Sub-section L entitled Department of Public Safety of Section 687 entitled Salaries, Compensation fixed, of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and with stated exceptions repealing all former ordinances.

*Be it ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Sub-section L entitled Department of Public Safety of Section 687 entitled Salaries, Compensation Fixed, of General Ordinance No. 121, 1925, be amended by changing item 2 to read as follows: "2. Secretary—Three Thousand Dollars per year."

Section 2. That the increased compensation hereby granted to the Secretary of the Board of Public Safety is to compensate the said Secretary of the Board of Public Safety for his increased duties by reason of the passage of General Ordinance No. 36, 1926, assigning to him the duties formerly performed by the Marketmaster and Custodian of Tomlinson Hall and his assistant whereby a saving

is effected by reason of such reassignment of duties and increase in salary of the said Secretary of the Board of Public Safety totalling Three Thousand (\$3,000.00) Dollars per year.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By Dr Todd:

GENERAL ORDINANCE NO. 38, 1926.

AN ORDINANCE, amending Section A-707 and subdivision (a) thereof of General Ordinance No. 137, 1924, an ordinance providing for the revision, codification and publication of certain ordinances of the City of Indianapolis, Indiana, and for the appointment of three lawyers to prepare and index the same, and appropriating money to defray the expense thereof.

*Be it ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Section A-707 of General Ordinance No. 137, 1924, providing for the revision, codification and publication of certain ordinances of the City of Indianapolis, Indiana, and for the appointment of three lawyers to prepare and index the same, and appropriating money to defray the expense thereof, be amended so that said Section A-707 shall read as follows:

Section A-707. (a) That immediately under and over each stud partition in third class buildings there shall be two inch wooden plates. All partitions shall be fire-blocked midway between each floor and ceiling with approved metal fire-blocking thoroughly fastened.

(b) All sewer piping, water, gas or other piping shall be thoroughly fire-blocked at the floor and ceiling and midway between the floor and ceiling when such pipes run up through any partitions or walls of combustible construction. All furnace pipes shall be fire-blocked. Furnace piping shall have metal wings riveted to the pipes of sufficient size that the wing can be nailed to the studdings and completely close off and block the air space between the studding. At least one (1) inch of plastering shall be placed over such fire-blocking to make the same air tight. Special formed metal fire-blocking, or other approved blocking shall be used around other piping and the same covered with plastering.

Section 2. That all ordinances and part of ordinances in conflict herein are now repealed.

Section 3. That this ordinance shall be in force and effect immediately from and after its passage.

Which was read a first time and referred to the Committee on Law and Judiciary



## ORDINANCES ON SECOND READING

Mr. Bartholomew called for Special Ordinance No. 2, 1926, for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, Special Ordinance No. 2 was ordered stricken from the files.

Mr. Dorsett called for General Ordinance No. 31, 1926, for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 31, 1926, was ordered stricken from the files.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Committee having charge of General Ordinance No. 33, 1926, was allowed further time for consideration.

President Moore of the Council opened the meeting to public discussion on General Ordinance No. 35, 1926, which proposed to establish daylight saving time in the city limits.

A general discussion was had for and against General Ordinance No. 35, 1926, by citizens who were present to represent various manufacturing concerns, labor organizations, clubs, etc.

Mr. Bartholomew moved to suspend the rules for the consideration of General Ordinance No. 35, 1926, but withdrew his motion with the consent of the second.

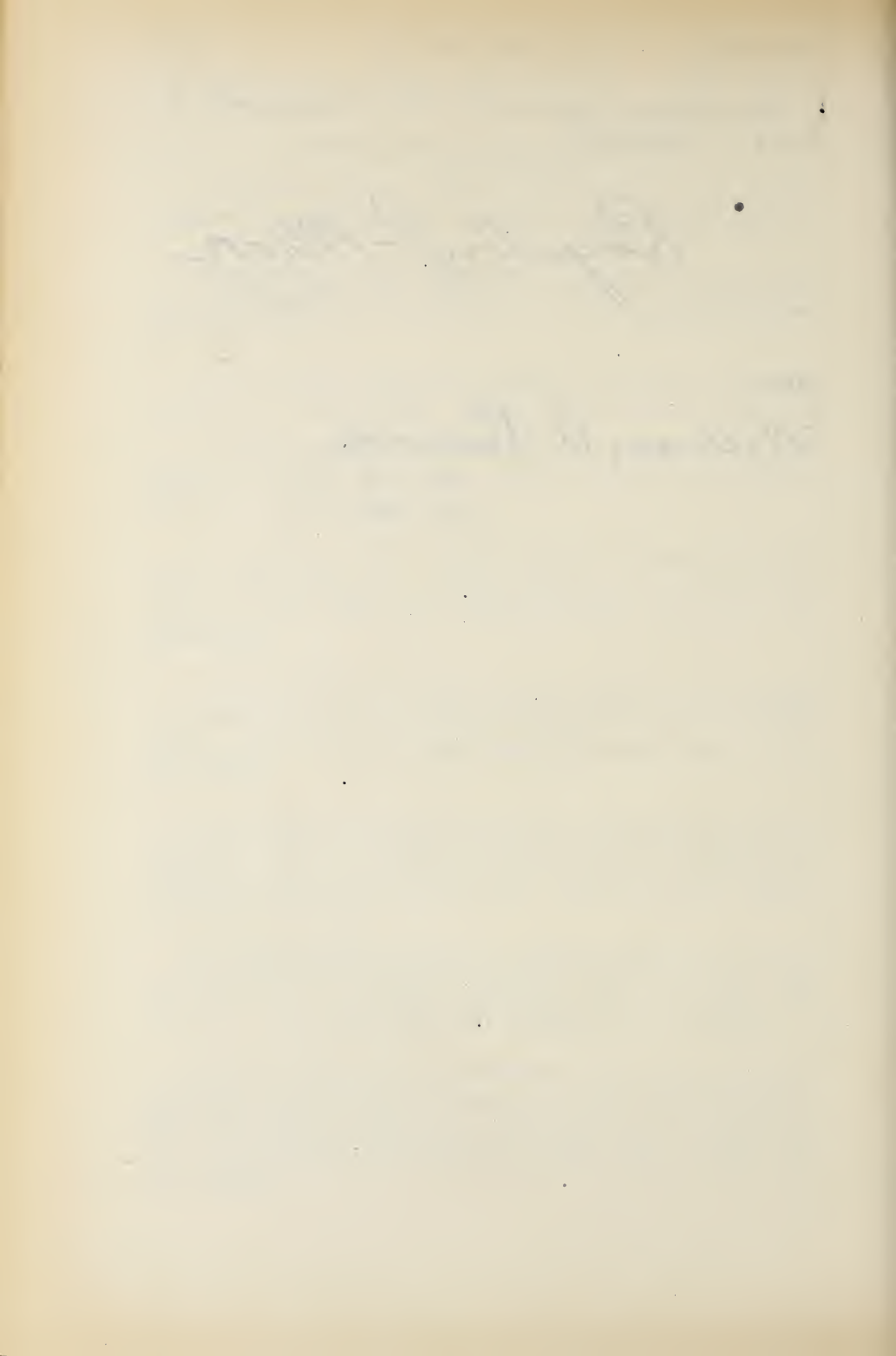
President Moore then announced that there would be a special meeting of the Common Council held Saturday, May 29, 1926, at 9:30 a. m. and instructed the Clerk to have the Sergeant of Arms to so notify each member of the Council.

The Common Council of the City of Indianapolis, at  
9:25 p. m., adjourned.

*Baynton J. Moore*  
President.

Attest:

*William A. Boyce, Jr.*  
City Clerk.



## SPECIAL MEETING

Saturday, May 29, 1926, 9:30 a. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Saturday, May 29, 1926, at 9:30 a. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Saturday, May 29, 1926, at 9:30 a. m.

The purpose of such meeting being for the reconsideration of the Daylight Saving Ordinance.

Respectfully,

BOYNTON J. MOORE.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WILLIAM A. BOYCE,  
City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and six members, viz.: Otis E. Bartholomew, Walter R. Dorsett, Claude E. Negley, Dr. Austin H. Todd, Robert E. Springsteen and Millard W. Ferguson.

Absent: Edward B. Raub and O. Ray Albertson.

## REPORTS FROM COMMITTEES

Indianapolis, Ind., May 29, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 35, 1926, entitled: "To establish daylight saving in the City of Indianapolis," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW, Chairman  
AUSTIN H. TODD  
ROBT. E. SPRINGSTEEN.

## ORDINANCES ON SECOND READING

On motion of Mr. Bartholomew, seconded by Mr.



Dorsett, General Ordinance No. 35, 1926, was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 35, 1926, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 35, 1926, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, six, viz.: Messrs. Bartholomew, Dorsett, Todd, Ferguson, Springsteen and President Moore.

Noes, one, viz.: Mr. Negley.

On motion of Mr. Dorsett, seconded by Mr. Ferguson, the Common Council of the City of Indianapolis, Indiana, adjourned at 10:20 a. m.

*Baynton J. Moore*  
President.

Attest:

*William A. Boyce, Jr.*  
City Clerk.





## REGULAR MEETING

Monday, June 7, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, June 7, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore and eight members, viz.: Walter R. Dorsett, Claude E. Negley, Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen, O. Ray Albertson, Millard W. Ferguson and Edward B. Raub.

The reading of the journal was dispensed with on motion of Mr. Bartholomew.

## COMMUNICATIONS FROM THE MAYOR

June 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am returning to you General Ordinance No. 35 which is an act declaring that Central Standard Time shall hereafter be advanced one hour in the City of Indianapolis for the purpose of daylight saving.

The matters set forth in this ordinance present a question which was in vogue during the war. At that time as a war measure it was deemed advisable to change Central Standard Time by setting the clocks ahead one hour, for the purpose of utilizing the early part of the day in which to work and help increase production to the end that our country could more efficiently aid in bringing the war to a successful close.

However, in my mind conditions have so changed that it is not only unnecessary from either an economical or business point of view to make this change in our Central Standard Time, which is the standard time universally used by the government, and so has been for centuries past.

But this ordinance will work a serious hardship upon a great many of our business concerns and individuals who are engaged in a business which already requires them to begin operations at an early hour in the morning and completely necessitates a change in the executive management of their business policies.

I can see no benefit to be derived from this ordinance, therefore



I have this day vetoed the ordinance and a returning it to you within ten days from the day upon which I received it.

Respectfully yours,

JOHN L. DUVAL,

Mayor.

## REPORTS OF COMMITTEES

Indianapolis, Ind., June 7, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We your Committee on Public Safety, to whom was referred General Ordinance No. 34, 1926, entitled "Making Clifton Street Preferential," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

CLAUDE E. NEGLEY, Chairman

AUSTIN H. TODD

OTIS E. BARTHOLOMEW

WALTER R. DORSETT

M. W. FURGUSON

Indianapolis, Ind., June 3, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Law and Judiciary to whom was referred General Ordinance 38, 1926, amending the Building Code, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

AUSTIN H. TODD, Chairman

OTIS E. BARTHOLOMEW

CLAUDE E. NEGLEY.

Indianapolis, Ind., June 7, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 33, 1926, entitled Sivi Contract, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW, Chairman

AUSTIN H. TODD

EDWARD B. RAUB

ROBERT E. SPRINGSTEEN.

## INTRODUCTION OF GENERAL ORDINANCES

By Mr. Bartholomew:

GENERAL ORDINANCE NO. 39, 1926

AN ORDINANCE, to amend Section 4 of General Ordinance No. 25, 1926, (as amended) passed by the Common Council of the City of Indianapolis on the 3rd day of May, 1926, and signed and

approved by the Mayor on the 12th day of May, 1926, entitled: "An Ordinance to Regulate the use and distribution of coal and coke, in the City of Indianapolis; To provide for the licensing of dealers in such fuel products To provide for delivery tickets giving the weight and description thereon; To provide for truthfully describing such products and advertising and selling; Prescribing a penalty for violation thereof; Declaring an emergency and designating a time when the same shall take effect."

**SECTION 4. SERIAL NUMBER, FORM, TRANSFER AND TERM OF LICENSE.** Each fuel merchant's license shall have a serial number as affixed and given by the City Controller, which Serial Number may be retained by the licensee from year to year, provided the license of said fuel merchant is properly renewed and granted. Said license shall authorize said person, firm, corporation or association to engage in the retail business of the fuel merchant as hereinbefore set out and defined, for a period of one year from the date of its issuance. No license shall be granted for a period of less than one year, and the full year's license fee shall be paid in each case. Under no circumstances shall any license be transferable or assignable.  
**BE AMENDED TO READ AS FOLLOWS:**

*Be it ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That no person, firm, corporation, association or organization of any kind shall engage in the distribution or retail sale, or in offering for sale or distribution, or in selling and distribution, or in selling and distributing or attempting to distribute to the ultimate consumer, within the City of Indianapolis, any bituminous coal, anthracite coal or coke (each and all of which are hereinafter known and termed as fuel and such person, firm, corporation, association or organization shall be known as a fuel merchant), without having first duly secured a license for that purpose, as hereinafter provided by this ordinance.

**PROVIDED** that this ordinance shall not apply to the sale of fuel to licensed and regularly licensed coal dealers in carload lots, nor to the sale of fuel in carload lots to industries, institutions, firms, individuals, or other purchasers that receive delivery of such fuel for their own use and consumption, without it being necessary to reweigh for proper delivery to them, and

**PROVIDED FURTHER** that this ordinance shall not apply to so-called basket peddlers selling in lots of less than one hundred pounds.

**Section 2. APPLICATION FOR A LICENSE.** Any person, firm, corporation or association desiring to conduct or engage in the business of a fuel merchant, or to engage in the sale or distribution of coal at retail, shall make application in writing to the City Controller for a license so to do, on blanks which shall be supplied for that purpose, specifying and giving the following information:

The name under which such business is to be operated.

The address of the principal office from which such business will be conducted.

Nature of the obligation, as to whether or not the applicant is a person, firm, corporation or association.

The name of the owner or officers of such organization.

The location or address of all storage or delivery yards.

Location of scales used and their capacity; Number of railroad switches, and the name of the railroads serving same.

That applicant is familiar with the terms of this ordinance regulating the sale and distribution of fuel.

That applicant possesses, leases or has continuous access to sufficient and necessary scales and weighing facilities that have been sealed by the Inspector of Weights and Measures.

**Section 3. LICENSE FEE.** The license fee for a fuel merchant's license, as contemplated in this ordinance, shall be \$50, plus \$15 for each and every additional branch, delivery yard and office operated and maintained for the sale and distribution of coal. All moneys received from the sale of such licenses shall be placed to the credit and use of the current expense fund of this city.

**Section 4. SERIAL NUMBER, FORM, TRANSFER, AND TERM OF LICENSE.** Each fuel merchant's license shall have a serial number as affixed and given by the City Controller which serial number may be retained by the licensee from year to year, provided the license of said fuel merchant is properly renewed and granted. Said license shall authorize such person, firm, corporation or association to engage in the retail business of a fuel merchant as hereinbefore set out and defined for a period of one year beginning on the first day of January and ending on the 31st day of December of each year, excepting, however, the year 1926, which license or licenses shall date from the first day of July, 1926, until the 31st day of December, 1926. Such license fees for this year shall be paid for the full year. No license shall be granted for a period of less than one year, and the full year's license fee shall be paid in each case. Under no circumstances shall any license be transferable or assignable.

**Section 5. DISPLAYING LICENSE.** Each licensee operating under this ordinance, shall place and maintain conspicuously upon each delivery vehicle used, the serial number of said license, and the name of the individual, firm, corporation, or association, in letters and figures no less than three inches in height.

**Section 6. DELIVERY TICKETS AND DUTIES.** It shall be unlawful for any person, firm, corporation or association to sell or deliver, or attempt to sell or deliver within the city, any coal or coke, without providing the driver of the wagon or other conveyance containing any such fuel, with a duplicate delivery ticket for each lot of fuel contained therein, and without each of said duplicate tickets bearing thereon clearly, plainly and legibly, each of the following items pertaining to the lot of fuel in said wagon or conveyance to which said tickets shall relate: (a) The date of such delivery; (b) The name and address of the person, firm, corporation or association selling and delivering or attempting to sell or deliver such fuel; (c) The name or identifying initials of the party who weighed it; (d) The total weight of said wagon or conveyance and its contained fuel; (e) The net weight of said fuel; (f) The name and address of the person, firm, corporation or association to whom such fuel is to be



delivered; (g) Either the true, usual and customary name of such fuel, or the name of the state from which it comes, together with the name or number of the district, mine or seam from which it was mined; (h) A description which will clearly indicate the size of its preparation and the character of its preparation (i. e. whether six-inch lump, four-inch lump, egg, nut, pea, mine run, shoveled lump, slack or screenings, etc.) Before unloading any of a lot of fuel therefrom, it shall be the duty of the driver of said wagon or conveyance to deliver one of such duplicate delivery tickets, pertaining to the lot of fuel to be delivered, to the purchaser thereof, or to the party to whom delivery thereof is to be made; and upon any demand or request of such purchaser or party, or of any police officer, or of the Inspector of Weights and Measures of this City or his deputy, it is hereby made the lawful duty of said driver and of said seller to promptly convey said loaded wagon or conveyance to a public scale that may then be agreed upon by the parties present in interest, or, in the absence of such agreement, to a public scale selected by any such officer or vendee or his representative, or to any private scale whose owner consents to the provision hereof, where said driver shall deliver, to any such officer, or to the person in charge of said scale, one of said duplicate delivery tickets, and where the total weight of said wagon or conveyance and its contained fuel shall be ascertained, and to thereupon deliver said fuel to the place where its delivery is to be made, and to thereupon forthwith return to said same scale and permit the weight of said wagon or conveyance to be ascertained and the verification of said weights shown by said delivery ticket completed.

If, upon such verification, the net weight of such fuel as shown by said ticket pertaining thereto, be found true and correct, such vendee shall pay the cost of and incident to such verification, which cost to him shall at no time exceed one dollar; otherwise such cost shall be borne by the vendor of said fuel; provided, however, that in the event such verification discloses the net weight of said fuel to be incorrect the vendor of such fuel may, within 24 hours after such verification, duly request an inspection of his scale and the scale used in such verification, and if such inspection discloses that the scale of said vendor was correct and said verification scale incorrect, the owner of said verification scale shall pay the cost of said verification and inspection of both said scales; and provided further, that if both said scales be found by said inspection to be inaccurate in any substantial respect, in the judgment of said inspector, said vendor shall pay the cost of said verification, and the owner of each of said scales shall pay the cost of said inspection and resealing of his own scales. This section shall be cumulative with all other ordinances of this city and of the laws of the state in such respects, and nothing herein shall be construed to prevent the Inspector of Weights and Measures or his deputies from making inspections in their regular manner and demanding a verification at any time.

Section 7. Substitution and Mixing Prohibited and Exceptions. The substitution or mixing of fuel is hereby declared illegal and subject to the penalties provided in this ordinance, except when the fuel has been sold as such and is correctly understood by the purchaser, and clearly indicated on the delivery ticket as provided in Section 6 of this ordinance.



Section 8. DESCRIBING AND ADVERTISING FUEL. It is hereby declared unlawful for any person, firm, corporation or association to sell, offer for sale, to deliver, or attempt to deliver, or to advertise in any newspaper, circular, letter, handbill, or to advertise in any way, any coal, coke or fuel by any name which is not true, usual and customary name of such fuel; or without giving either the true, usual and customary name of such fuel, or the name of the state from which it comes, together with the name or number of the district, mine or seam from which it was mined, and also a description which will indicate the size of its preparation, and the character of its preparation, (i. e. whether six-inch lump, four-inch lump, egg, nut, pea, mine run, shovelled lump, slack or screening etc.)

Section 9. RECORD OF TARE WEIGHTS. Every licensee operating under this ordinance shall compute delivery ticket weight by using the last tare weight of delivery equipment taken at least once a day for every day of dry weather and twice a day in rainy or wet weather; daily record of tare weights of equipment to be kept for reference by dealer, covering a period of the past ten days at all times; all dealers' daily tare weight records of hauling equipment to be subject to inspection of City Inspector of Weights and Measures or his deputies.

Section 10. PENALTIES PRESCRIBED. Any individual, firm, corporation or association who shall violate any provision of this ordinance, shall, upon conviction for the first offense be subject to a fine of not less than Twenty-five (\$25.00) Dollars, nor more than One Hundred (\$100.00) Dollars, and for the second or any subsequent offense, be subject to a fine of not less than \$50.00 nor more than \$200.00 and such license shall be revoked. Each individual scale or transaction of any quantity shall constitute a separate and distinct offense.

Section 11. REPEALING ORDINANCES WHICH CONFLICT. All ordinances or parts of ordinances which may be in conflict with this ordinance, are, insofar as they so conflict, hereby repealed.

Section 12. CONSTITUTIONAL PROVISION. If any section or part of any section of this ordinance shall be declared unconstitutional by a Court of competent jurisdiction, then the remainder shall not be affected thereby, and as to such other provisions, shall continue in full force and effect.

Section 13. EMERGENCY DECLARED. WHEREAS, an emergency has been declared to exist, this ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 40, 1926.

AN ORDINANCE, to amend Section 865 Indianapolis Building Code of 1925, of General Ordinance No. 121, known as Municipal Code of Indianapolis, 1925, and entitled "An Ordinance Concerning

the Government of the City of Indianapolis, providing penalties for its violation, with stated exceptions repealing all former ordinances."

*Now Therefore, Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Section 865 Indianapolis Building Code of 1925, of General Ordinance No. 121, known as "Municipal Code of Indianapolis, 1925," be amended to read as follows: "Section A-117. Penalty. Any person, firm or corporation who shall violate any of the provisions of this ordinance except as provided in specific exceptions shall be deemed guilty of misdemeanor and upon conviction thereof shall be fined in any sum not less than Two (\$2.00) Dollars and not more than Five Hundred (\$500.00) Dollars for each offense. Each day any violation shall continue shall be a separate offense."

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Law and Judiciary.

By Mr. Ferguson:

#### GENERAL ORDINANCE NO. 41, 1926.

AN ORDINANCE, to amend General Ordinance No. 30, 1926, passed by the Common Council of the City of Indianapolis on the 17th day of May, 1926, and signed and approved by the Mayor on the 21st day of May, 1926, entitled: "An Ordinance transferring the sum of Two Thousand Dollars (\$2000.00) from the Garage and Motor Fund No. 33, Department of Public Works, and reappropriating the same to Equipment Fund No. 72, Department of Public Works, and recreating Equipment Fund No. 72, Department of Public Works insofar as heretofore it may have been effective, and fixing a time when the same shall take effect.

"WHEREAS the City of Indianapolis, through its authorized agents failed, refused and neglected at the time of the making of the Appropriation Budget Ordinance for 1926 to set aside any funds in Equipment Fund No. 72, Department of Public Works, and

"WHEREAS there are now no available funds in the Department of Public Works in Equipment Fund No. 72."

*Now Therefore, Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Thousand Dollars (\$2,000.00) be and the same is hereby transferred and reappropriated from Garage and Motor Fund No. 33, Department of Public Works, to Equipment Fund No. 72, Department of Public Works

Section 2. That Equipment Fund No. 72, Department of Public Works, is hereby recreated and made such fund.

Section 3. This ordinance shall be in full force and effect from and after its passage;"

be amended to read as follows:

"AN ORDINANCE, transferring the sum of Two Thousand (\$2,000.-00) Dollars from the Garage and Motor Fund No. 33, Department of Public Works, Street Commissioner's Unit, and reappropriating the same to Equipment Fund No. 72, Department of Public Works, Street Commissioner's Unit, and recreating Equipment Fund No. 72, in the Department of Public Works, Street Commissioner's Unit, insofar as heretofore it may have been effective and fixing a time when the same shall take effect.

"WHEREAS, the City of Indianapolis through its authorized agents failed, refused and neglected at the time of the making of the Appropriation Budget Ordinance for 1926 to set aside any funds in the Equipment Fund No. 72, Department of Public Works, Street Commissioner's Unit, and

"WHEREAS, there are now no available funds in the Department of Public Works, Street Commissioner's Unit, in Equipment Fund No. 72,

*Now Therefore, Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Thousand (\$2,000.00) Dollars be and the same is hereby now transferred and reappropriated from Garage and Motor Fund No. 33, Department of Public Works, Street Commissioner's Unit, to Equipment Fund No. 72, Department of Public Works, Street Commissioner's Unit.

Section 2. That Equipment Fund No. 72, Department of Public Works, Street Commissioner's Unit, is hereby recreated and made such Fund.

Section 3. This ordinance shall be in full force and effect from and after its passage."

Which was read a first time and referred to a special committee consisting of Mr. Ferguson, Chairman; Messrs. Dorsett, Bartholomew, Todd and Raub.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS

By Mr. Albertson and Mr. Bartholomew:

#### RESOLUTION NO. 5, 1926.

WHEREAS there have been numerous complaints as to certain activities of Park Board Members, under the Department of Public Parks of the City of Indianapolis, Indiana, and

WHEREAS the Public Press has been carrying articles and stories in the last few weeks relating to certain activities of members of the Department of Public Parks, and

WHEREAS charges were filed against one of the members who in the face of trial resigned, and

WHEREAS the General Public is asking that if any such irregularities exist as were so charged that they as taxpayers of the City

of Indianapolis, Indiana, be acquainted with the same, and

WHEREAS a large number of taxpayers are still seeking an explanation as to the procedure surrounding the purchase of certain ground from Butler College, the construction of Kessler Boulevard, and the purchase of certain land in Golden Hill Addition for Park purposes, and

WHEREAS it has become a general report that the Park Board members have caused the extravagant expenditures of vast sums of money in a lavish and unwarranted manner,

*Now Therefore, Be it Resolved by the Common Council of the City of Indianapolis, Indiana:*

That this body cause a committee to be appointed to investigate and make a report on the activities of the Department of Public Parks of the City of Indianapolis or any of its members as individuals as relates to any irregularities in the transacting or carrying on of the business of the Department of Public Parks or any other activities or irregularities that may come to said committee's notice and attention, to make report of their finding or findings to the Common Council in session.

Which was read a first time and referred to a special committee consisting of Mr. Albertson, Chairman; Messrs. Ferguson, Dorsett, Todd and Bartholomew.

By Mr. Dorsett:

#### RESOLUTION NO. 6, 1926.

WHEREAS there have been numerous complaints to members of the Common Council of the City of Indianapolis, and

WHEREAS the attention of the Common Council of the City of Indianapolis, Indiana, has through the Public Press been directed to the activities of the City Plan Commission, and

WHEREAS the City Plan Commission in numerous instances has been accused of hindering the development of the City of Indianapolis, Indiana, and

WHEREAS many requests have come to the Council for the establishment of a separate and distinct body known as "The Board of Zoning Appeals"

*Now Therefore, Be it Resolved by the Common Council of the City of Indianapolis, Indiana:*

That this body cause a committee to be appointed to investigate and make a report on the activities of the City Plan Commission of the City of Indianapolis, as relates to any irregularities in this body that might now or heretofore exist or any other irregularities that may come to said committee's notice or attention.

Which was read a first time and referred to the Committee on Law and Judiciary.



By Mr. Dorsett:

RESOLUTION NO. 7, 1926.

WHEREAS the funds in the Department of Public Works, Street Commissioner's Unit, are in a depleted condition at the present time, and

WHEREAS there was approximately One Hundred and Eight Thousand (\$108,000.00) Dollars recently turned over to the City Controller by the State of Indiana as the City's share of gasoline tax received during the year 1925, and

WHEREAS there are now a number of bridges and streets in the City of Indianapolis in need of imediate repair,

*Now Therefore, Be it Resolved by the Common Council of the City of Indianapolis, Indiana:*

That East Michigan Street, between Sherman Drive and Emerson Avenue, be paved between the car tracks out of said funds known as "Gasoline Tax Funds of the City of Indianapolis" now THEREFORE BE IT FURTHER

RESOLVED that if this Fund is still unexhausted after the paving of East Michigan street, as above mentioned that the following bridges be repaired, such repairs to continue until such time as the same are exhausted:

West Tenth Street Bridge  
Harding Street River Bridge  
West New York Street River Bridge  
Raymond Street River Bridge

Which was read a first time and referred to the Committee on Public Works.

ORDINANCES ON SECOND READING

Mr. Bartholomew called for General Ordinance No. 33, 1926, for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 33 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 33 was read a third time and passed by unanimous vote of the Council.

Dr. Todd called for General Ordinance No. 34, 1926, for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Bartholomew, General Ordinance No. 34 was ordered engrossed,

read a third time and placed upon its passage.

General Ordinance No. 34 was read a third time and passed by unanimous vote of the Council.

The Common Council of the City of Indianapolis at 9:10 o'clock p. m., adjourned.

*Baynton J. Moore*  
President.

Attest:

*William A. Boyce, Jr.*  
City Clerk.



## REGULAR MEETING

Monday, June 21, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, June 21, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore and seven members, viz.: Walter R. Dorsett, Austin H. Todd, Otis E. Bartholomew, Robert E. Springsteen, O. Ray Albertson, Millard W. Ferguson and Edward B. Raub.

Absent: Claude E. Negley.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Dr. Todd.

## COMMUNICATIONS FROM THE MAYOR

June 8, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 33, 1926:

An Ordinance granting to the Link Realty Company the right to lay and maintain a sidetrack or switch, from the east line of Koehne Street to the west line of Koehne Street, according to the blueprint attached hereto, in the City of Indianapolis, Indiana.

J. L. DUVALL,  
Mayor.

June 8, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 34, 1926.

An Ordinance to amend section 760 of General Ordinance No. 121, known as "Municipal Code of Indianapolis, 1925," and entitled "An Ordinance concerning the government of the City of Indianapolis, providing penalties for its violation, and with stated exceptions repealing all former ordinances.

J. L. DUVALL,  
Mayor.



## REPORTS FROM CITY OFFICERS

June 21, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith a General Ordinance transferring the sum of Three Hundred (\$300.00) Dollars from Fund No. 61, Interest on Bonded Debt, Controller's Office, to Fund No. 62, Grants and Subsidies in Controller's Office, to be used for the general Memorial Association for the old soldiers of the Republic and for defraying expenses of Memorial Day.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

June 21, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith communication from the Board of Public Works asking for the passage of a General Ordinance transferring the sum of One Thousand (\$1,000.00) Dollars from Municipal Garage, Services Contractual, Account No. 25, Repairs, and reappropriating the same to Municipal Garage, Materials, Account No. 45, Repair Parts, in the Department of Public Works.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

June 21, 1926.

*Mr. William C. Buser, City Controller, City of Indianapolis, Indiana:*

Dear Sir—I am directed by the Board of Public Works to submit to you the attached ordinance for the transfer of One Thousand (\$1,000.00) Dollars from Municipal Garage, Services Contractual, Account No. 25, to the Municipal Garage, Materials, Account No. 45, Repair Parts in the Department of Public Works, and request that you submit the same, together with your recommendation, to the Common Council for its consideration.

Yours truly,  
Clerk, Board of Public Works.

June 21, 1926.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis:*

Dear Sir—At the last regular meeting of the City Council held June 7th, there was presented an amendment on General Ordinance No. 25, 1926. This ordinance relates to the regulation of the retail selling and distribution of coal and coke.

Since the last regular meeting of the Council, when the amendment was introduced, Mr. T. M. Overley, Manager of the Better Business Bureau, has made two or three minor changes in the wording and phrasing of this ordinance and I am very anxious that these changes be made

in the amendment which will probably be acted upon at tonight's Council meeting.

As it will take me several weeks to get the license books printed I would appreciate very much that tonight if this amendment comes up for the third reading that you state that this amendment shall be passed as read, which will include these last changes.

Appreciating your assistance in this, I am,

Yours truly,

WM. C. BUSER,

City Controller.

## REPORTS OF COMMITTEES

Indianapolis, Ind., June 21, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 32, 1926, request more time to consider same.

O. RAY ALBERTSON, Chairman

OTIS E. BARTHOLOMEW

AUSTIN H. TODD

WALTER R. DORSETT

Indianapolis, Ind., June 2, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We your Special Committee to whom was referred General Ordinance No. 41, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

M. W. FERGUSON

EDWARD B. RAUB

A. H. TODD

WALTER R. DORSETT

OTIS E. BARTHOLOMEW

## INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

### GENERAL ORDINANCE NO. 42, 1926

AN ORDINANCE, transferring the sum of One Thousand (\$1,000.00) Dollars from Municipal Garage, Services Contractual, Account No. 25, Repairs, and reappropriating the same to Municipal Garage, Materials, Account No. 45, Repair Parts, in the Department of Public Works.

*Be it ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of One Thousand (\$1,000.00) be and the same is hereby now transferred and reappropriated from Municipal Garage, Services Contractual, Account No. 25, Repairs, to Municipal Garage, Materials, Account No. 45, Repair Parts, in the Department of Public Works.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Controller:

GENERAL ORDINANCE NO. 43, 1926

AN ORDINANCE, to transfer the sum of Three Hundred (\$300.00) Dollars from Fund No. 61, Interest on Bonded Debt, Controller's Office, to Fund No. 62, Grants and Subsidies in Controller's Office, to be used for the general Memorial Association for the old soldiers of the Republic and for defraying expenses of Memorial Day.

*Be it ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That whereas there are not funds for the celebration of patriotic occasions and for defraying expenses for such occasions in which the Grand Army of the Republic patriotically celebrates Memorial Day and other occasions of patriotic nature and whereas for the sake of patriotism and the inculcation of patriotic principles in the youth of the city and land, the same is necessary and proper.

Section 2. Now Therefore, a sum of Three Hundred (\$300.00) Dollars is transferred hereby from Fund No. 61, Interest on Bonded Debt, Controller's Office, to Fund No. 62, Grants and Subsidies in Controller's Office, to be used for the General Memorial Association of the old soldiers to defray the expense of Memorial Day of such Association and for other patriotic occasions and celebrations of such Association.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By Mr. Dorsett:

GENERAL ORDINANCE NO. 44, 1926

AN ORDINANCE, to amend General Ordinance No. 114, 1922, and amendments (exclusive of maps) entitled: "An ordinance dividing the City of Indianapolis into districts for the purposes of regulating and restricting the location of trades, callings, industries, commercial advertisings and location of buildings designed for specific uses, of classifying, regulating and determining the area, of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a Board of Zoning Appeal; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing a time when the same shall take effect.

*Be it ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That General Ordinance No. 114, 1922, and amendments

(exclusive of maps) be amended to read as follows: That Section 879½ entitled "Prohibition of Signboards 9½" be inserted after Section 879, entitled: "Prohibition and Special Permit Uses 9." That said Section 879½ entitled: "Prohibition of Sign Boards 9½" read as follows: "No Signboard shall be erected on any premises within the limits of the City of Indianapolis. The above prohibition applies solely to signboards which are erected on real estate and the above prohibition does not in any sense apply to signboards hanging from or erected upon any building or buildings."

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Bartholomew:

#### GENERAL ORDINANCE NO. 45, 1926

AN ORDINANCE to amend General Ordinance No. 114, 1922, and amendments (exclusive of maps) entitled: "An Ordinance dividing the City of Indianapolis into districts for the purposes of regulating and restricting the location of trades, callings, industries, commercial advertisings and location of buildings designed for specific uses, of classifying, regulating and determining the area, of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a Board of Zoning Appeal; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

*Be it ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That General Ordinance No. 114, 1922, and amendments (exclusive of maps) be amended as follows: That Section 892, entitled: "Enforcement, Board of Zoning Appeals, 22," be amended by striking out the following provision: "The City Planning Commission is hereby constituted a Board of Zoning Appeals for the purposes of this ordinance." Further said Section 892, entitled: "Enforcement, Board of Zoning Appeals 22," be amended by inserting in lieu of the above provision stricken out, the following: "The Board of Zoning Appeals shall consist of five members to be appointed by the Mayor of the City of Indianapolis, at least two of whom shall be members of the City Plan Commission and not more than two of whom shall hold elective or appointive office in such city government.

Section 2. Any provision in the ordinances governing the city of Indianapolis whereby the City Plan Commission is authorized to act as a Board of Zoning Appeals is hereby repealed and the Board of Zoning Appeals made up of the members of the City Plan Commission is hereby abolished.

Section 3. This ordinance shall be in full force and effect from and after its passage.



Which was a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Dorsett, Bartholomew, Todd and Springsteen.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 46, 1926

AN ORDINANCE, to amend Sections B-105, B-204 and B-208, entitled "Indianapolis Building Code" of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, providing penalties for its violation, with stated exceptions, repealing all former ordinances, which sections pertain to "concrete blocks," their quality, crushing strength, requirements for marking, approval by Building Commissioner, and fees.

*Be it Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That Section B-105 of General Ordinance No. 121, 1925, be amended to read as follows:

#### QUALITY OF CONCRETE BLOCK STRESSES.

(a) Concrete block or concrete building tile of whatever mixture shall be so made that they will meet the following tests in ultimate compression as laid in the wall:

Ultimate Compression  
for load bearing

Average of four tests in pounds per square inch gross area....1,000

Minimum for any one test pounds per square inch gross area 800

No concrete block shall fall below the minimum as shown above.

Section 2. That Section B-204 of General Ordinance No. 121, 1925, be amended to read as follows:

#### CRUSHING STRENGTH

"Concrete Blocks" shall not be used in any case unless they stand, without showing signs of failure, the ultimate crushing strength of the block twenty-eight (28) days old resulting from an average of three (3) or more units tested by a recognized testing laboratory or any testing laboratory satisfactory to the Commissioner of Buildings, as follows, to wit:

Ultimate crushing strength in pounds per square inch of gross area as laid in the wall:

Average of three (3) tests, 1,000 pounds.

Minimum for any one block, 800 pounds.

The above tests shall be computed over the gross area of the "Concrete Block" as laid up in mortar in any wall with no reduction for hollow spaces, by taking the product of the width and the length of the unit. No single "Concrete Block" shall fall below the amount of strength per square inch of gross area indicated in the second column.

No single "Concrete Block" shall fall below one thousand (1,000) pounds per square inch ultimate compressive strength when calculated on the minimum cross section area bearing either at the top or base of the "Concrete Block."

Section 3. That Section B-208 of General Ordinance No. 121, 1925, be amended to read as follows:

#### IDENTIFICATION OR BRANDING

(a) Every concrete block used in the City of Indianapolis for building construction purposes, shall have designated thereon such mark of identification as will indicate the name of the manufacturer and the principal place of business of such manufacturer, and a facsimile of such mark of identification shall be filed with and approved by the commissioner of buildings, upon the adoption of same by the manufacturer.

#### APPROVAL AND FEE

(b) All concrete block used in the city of Indianapolis shall be approved in writing by the Commissioner of Buildings. Such written approval may be obtained upon application for the same and submitting the certificate of tests in accordance with the provisions of Section B-105 and Section B-203-204-212. When the block are found to comply with all the requirements of said sections the written approval shall be issued upon payment of One Hundred (\$100.00) Dollars to the City Treasurer, which amount is to be credited to the current expense fund. Each approval is to expire on the 1st day of July of each year. The name of the person, firm, or corporation and its officers who manufacture the block must be placed on file with the commissioner of buildings as a record. All changes of ownership or management of any plant whose block is approved under this section must be reported in writing to the commissioner of buildings.

#### SUBSEQUENT TESTS

(c) If at any time after the approval of the concrete blocks the commissioner of buildings finds it necessary to require subsequent tests in accordance with Section B-212 and such tests disclose that said blocks do not meet the requirements of said section, then the commissioner of buildings shall forthwith revoke the approval of such block, heretofore given.

Section 4. This ordinance shall take effect and be enforced from and after its passage.

Which was read a first time and referred to the Committee on Board of Works.

By Mr. Ferguson:

#### GENERAL ORDINANCE NO. 47, 1926

AN ORDINANCE, amending Section 476 of General Ordinance No. 121, an ordinance entitled "An ordinance creating the government of the City of Indianapolis, providing penalties for its violation and with stated exceptions, repealing all former ordinances," being known as "Municipal Code of Indianapolis, 1925."

*Be it Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That Section 476 of General Ordinance No. 121, paragraph 35, pertaining to taxicabs annual license fees, which reads: "35. Each taxicab \$8.00," be amended to read: "35. Each taxicab \$100. After

the first license fee is paid, the owner of such taxicab will pay a fee of \$25.00 for all other taxicabs."

Section 2. This ordinance shall be in full force and effect from and after January 1, 1927.

Which was read a first time and referred to the Committee on Law and Judiciary.

By Mr. Dorsett:

#### RESOLUTION NO. 8, 1926

WHEREAS, it is deemed by the Common Council of the City of Indianapolis to be a matter of public utility and concern whether or not a Municipal corporation known as the City of Indianapolis has any legal title, right or interest in the Canal now purported to be owned by the Indianapolis Water Company, Now Therefore Be It

*Resolved by the Common Council of the City of Indianapolis, Indiana:*

That this body cause a committee to be appointed to investigate and make a report as to any legal title, right or interest that might at this time be vested in the City of Indianapolis, and that the findings of this committee be submitted to the Common Council of the City of Indianapolis in session.

Which was read a first time and referred to the Committee on Law and Judiciary.

At 8:20 o'clock, Mr. Negley took his seat in the Council Chamber.

#### ORDINANCES ON SECOND READING

Dr. Todd called for General Ordinance No. 38 for second reading. It was read a second time.

Dr. Todd presented the following amendment to General Ordinance No. 38:

Indianapolis, Ind., June 21, 1926.

*Mr. President:*

I move that General Ordinance No. 38, 1926, be amended by adding the two words "or wood" in the last sentence of paragraph two of Section 1, making it read as follows: "All partitions shall be fire-blocked midway between each floor and ceiling with improved metal or wood fire blocking thoroughly fastened."

AUSTIN H. TODD, Councilman.

On motion of Mr. Springsteen, seconded by Dr. Todd, the above amendment was adopted.

On motion of Dr. Todd, seconded by Mr. Bartholomew, Gen-

eral Ordinance No. 38, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 38 was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Dorsett, Todd, Bartholomew, Springsteen, Albertson, Ferguson, Negley and President Moore.

Noes, 1, viz.: Mr. Raub.

Mr. Bartholomew called for General Ordinance No. 28 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 28 was ordered, read a third time and placed upon its passage.

General Ordinance No. 28 was read a third time and failed to pass by the following vote:

Ayes, 4, viz.: Messrs. Bartholomew, Dorsett, Todd and President Moore.

Noes, 5, viz.: Messrs. Springsteen, Albertson, Ferguson, Raub and Negley.

Mr. Bartholomew called for General Ordinance No. 39 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 39 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 39 was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Dorsett, Negley, Todd, Bartholomew, Springsteen, Ferguson, Raub and President Moore.

Noes, 1, viz.: Mr. Albertson.

Mr. Bartholomew called for General Ordinance No. 40 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Raub, General Ordinance No. 40 was stricken from the files.



Mr. Bartholomew called for General Ordinance No. 41 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 41 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 41 was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Dorsett, Negley, Todd, Bartholomew, Springsteen, Ferguson, Raub and President Moore.

Noes, 1, viz.: Mr. Albertson.

Mr. Bartholomew called for Resolution No. 5. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, Resolution No. 5 was ordered stricken from the files.

Resolution No. 5 was stricken from the files by the following vote:

Ayes, 6, viz.: Messrs. Dorsett, Negley, Todd, Bartholomew, Ferguson and President Moore.

Noes, 3, viz.: Messrs. Raub, Springsteen and Albertson.

Mr. Raub called for Resolution No. 6. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, the Law and Judiciary Committee, to which Resolution No. 6 was referred, was given more time for the consideration of Resolution No. 6.

The motion was passed by the following vote:

Ayes, 7, viz.: Messrs. Dorsett, Negley, Todd, Bartholomew, Albertson, Ferguson and President Moore.

Noes, 2, viz.: Messrs. Springsteen and Raub.

President Moore notified the Council that the next regular meeting of the Council would be held on July 6th instead of July 5th, which will be a legal holiday.

On motion of Mr. Bartholomew, seconded by Mr. Springsteen, the Common Council of the City of Indianapolis, Indiana, adjourned at 8:45 o'clock p. m.

*Baynton J. Moore*

President.

Attest:

*William A. Boyce, Jr.*

City Clerk.



## REGULAR MEETING

Tuesday, July 6, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Tuesday, July 6, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore and eight members, viz.: Walter R. Dorsett, Austin H. Todd, Otis E. Bartholomew, Claude E. Negley, Robert E. Springsteen, O. Ray Albertson, Millard W. Ferguson and Edward B. Raub.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Dr. Todd.

## COMMUNICATIONS FROM THE MAYOR

June 23, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 38, 1926: An Ordinance amending Section A-707 and subdivision (a) thereof of General Ordinance No. 137, 1924, an ordinance providing for the revision, codification and publication of certain ordinances of the City of Indianapolis, Indiana, and for the appointment of three lawyers to prepare and index the same, and appropriating money to defray the expenses thereof.

JOHN L. DUVALL,

Mayor.

June 23, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 39, 1926: An Ordinance, to amend Section 4 of General Ordinance No. 25, 1926, (as amended) passed by the Common Council of the City of Indianapolis on the 3rd day of May, 1926, and signed and approved by the Mayor on the 12th day of May, 1926, entitled: "An Ordinance, to regulate the retail sale and distribution of coal and coke, in the City of Indianapolis; To provide for the licensing of dealers in such fuel products; To provide for delivery tickets giving the weight and description thereon; To provide for truthfully describ-



ing such products in advertising and selling; Prescribing a penalty for violation thereof; Declaring an emergency, and designating a time when the same shall take effect."

JOHN L. DUVALL,

Mayor.

June 23, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 41, 1926: An Ordinance, to amend General Ordinance No. 30, 1926, passed by the Common Council of the City of Indianapolis on the 17th day of May, 1926, and signed and approved by the Mayor on the 21st day of May, 1926, entitled: "An Ordinance transferring the sum of Two Thousand Dollars (\$2000.00) from the Garage and Motor Fund No. 33, Department of Public Works, and reappropriating the same to Equipment Fund No. 72, Department of Public Works insofar as heretofore it may have been effective, and fixing a time when the same shall take effect.

JOHN L. DUVALL,

Mayor.

#### REPORTS FROM CITY OFFICERS

July 5, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requested by the Board of Health to submit to you the attached ordinance authorizing the making of a temporary loan in the amount of One Hundred and Twenty-Five Thousand Dollars (\$125,000.00), for use of the Board of Public Health and Charities of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,

City Controller.

July 6, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requested by the Board of Public Safety to submit to you the attached ordinance transferring the sum of Twenty-five Hundred (\$2500.00) Dollars from the Fund No. 25, Police Department, Department of Public Safety, and reappropriating the same to Fund No. 45, Police Department, Department of Public Safety; and transferring the sum of Thirty-Six Hundred (\$3600.00) Dollars from Fund No. 33, Police Department, Depart-

ment of Public Safety and reappropriating the same to various Funds in the Department of Public Safety.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

July 6, 1926.

*Mr. William C. Buser, City Controller, City of Indianapolis, Indiana.*

Dear Sir:—The Board of Public Safety hereby submits to you for your approval and transmission to the Common Council an ordinance transferring the sum of Six Thousand One Hundred Dollars (\$6100.00) from the Police Department and re-appropriating same to the Police Department and to the Dog Pound.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
CLAUDE C. McCOY,  
Executive Secretary.

July 6, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requested by the Board of Public Safety to submit to you the attached ordinance requiring the payment of a fee of One (\$1.00) Dollar for any and all live dogs taken from the City Dog Pound, providing that any person so taking one of these dogs obtain a license within seven days thereafter, and also, requiring the City Pound Keeper to keep a correct and accurate account of all moneys received by him, turn the same over to the City Controller at the end of each working day, to be placed in the General Fund of the City of Indianapolis.

Yours,

W. C. BUSER,  
City Controller.

July 6, 1926.

*Mr. William C. Buser, City Controller, City of Indianapolis, Indiana.*

Dear Sir:—The Board of Safety hereby submits to you for your approval and transmission to the Common Council a General Ordinance fixing the fee for taking live dogs from the City Dog Pound.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
CLAUDE C. McCOY,  
Executive Secretary.

## REPORTS FROM STANDING COMMITTEES

Indianapolis, Indiana, July 6, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 43, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

C. RAY ALBERTSON, Chairman.  
AUSTIN H. TODD  
CLAUDE E. NEGLEY  
OTIS E. BARTHOLOMEW  
WALTER R. DORSETT

Indianapolis, Indiana, July 6, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 42, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be Passed.

C. RAY ALBERTSON, Chairman.  
AUSTIN H. TODD  
CLAUDE E. NEGLEY  
OTIS E. BARTHOLOMEW  
WALTER R. DORSETT

Indianapolis, Indiana, July 6, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Works to whom was referred Ordinance No. 46, 1926, beg to report that we have had said ordinance under consideration, and recommend that the same be Passed.

WALTER R. DORSETT, Chairman.  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD

Indianapolis, Indiana, July 7, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee, Special to whom was referred Ordinance No. 45 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be Passed.

M. W. FERGUSON  
WALTER R. DORSETT  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD

Indianapolis, Indiana, July 6, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare that made investigations on Pleasant Run Stream find conditions in Garfield Park deplorable. We recommend that the Board of Health make a thorough investigation and ascertain the manufacturers and corporations who are the cause of polluting this stream and to notify said firms or corporations to discontinue same. We also recommend that the Board of Works take steps immediately to change sewers that are now emptying into Pleasant Run. We also recommend that the Park Board and the Board of Works work together on clearing the banks of this stream of all rubbish and any other foreign matter that has a tendency to pollute the stream. We feel that the Park Board would be unable to do anything in regard to cleaning this stream in Garfield Park until the source of pollution is remedied between Irvington and the Park. It is our desire that these various departments look after this immediately and report back to this Committee. We also recommend that the manufacturers or firms along Bean Creek be investigated and if they are emptying refuse into this stream they should be notified to discontinue same.

This Resolution should have been investigated by the Park Committee, but inasmuch as the whole Council was notified of the Committee meeting, we feel that this investigation can be handled either through the Welfare or Park Committees.

OTIS E. BARTHOLOMEW, Chairman.

ROBT. E. SPRINGSTEEN

WALTER R. DORSETT

AUSTIN H. TODD

## INTRODUCTION OF GENERAL ORDINANCES

By Dr. Todd:

### GENERAL ORDINANCE NO. 48, 1926

AN ORDINANCE to regulate Traffic, defining violations thereof, declaring a penalty for its violation and designating a time when the same shall take effect.

*Now Therefore, Be it Ordained by the Common Council of the City of Indianapolis.*

That the following traffic code be adopted for the City of Indianapolis, defining violations, and declaring a penalty.

Section 1. Definitions. (a) The term "Congested District" shall constitute all of that part of the City included within the limits of the north curb line of Michigan street on the north, the west curb line of Senate avenue on the west, the track elevation on the south and the east curb line of New Jersey street on the east.

(b) The term "Silent Policeman," within the meaning of this Ordinance, shall be deemed to mean some suitable device, post, standard or sign, placed within any street or public place by order



of the Board of Public Safety, as a warning, or for the control or direction of traffic.

(c) The term "Parking" within the meaning of this Ordinance, shall be deemed to mean, placing, allowing, permitting or stopping of any vehicle within any street or public place for any purpose other than loading or unloading passengers, freight goods, wares or merchandise, providing such loading or unloading of passengers shall not exceed five (5) minutes and such loading or unloading of the freight goods, wares or merchandise shall not exceed one and one-half hours.

(d) The term "Vehicle" within the meaning of this Ordinance with reference to traffic shall be deemed to include equestrians, led horses, automobiles and every vehicle on wheels, except street cars or other vehicles running on fixed tracks.

(e) The term "Horses" within the meaning of this Ordinance with reference to traffic shall include all domestic animals. The term "Driver" within the meaning of this Ordinance, shall be deemed to mean any person, riding or operating any such vehicle.

(f) The term "Circle" within the meaning of this Ordinance shall be deemed to mean that street encircling the Soldiers' and Sailors' Monument, namely "Monument Circle."

(g) The term "Slow Moving Vehicle" within the meaning of this Ordinance, shall be deemed to mean any vehicle traveling at a rate of speed not greater than ten (10) miles per hour.

Section 2. Rules of the Road. (a) Vehicles shall be driven in that part of the roadway to the right of the center, except one-way streets and alleys.

(b) In case any vehicle shall be operated at a distance of one hundred (100) feet or less, in front of another vehicle traveling in the same direction, such vehicle shall be operated within three (3) feet of the right-of-way, of such street, unless passing an obstruction or other vehicle at or near such right-hand curb, provided, however, that such vehicle passing such other vehicle or obstruction shall be operated within three (3) feet of any other vehicle or obstruction.

(c) Any vehicle overtaking another shall pass on the left side of the overtaking vehicle and not pull over to the right until entirely clear of such overtaking vehicle, but shall not pass at any street intersection.

(d) Any vehicle turning into another street on the left, where left hand turns are not herein prohibited, shall circle around the center of the street intersection.

(e) No vehicle shall make a complete turn upon any street within the congested district, except at street intersections. Provided, however, that no such turn shall be made at corners where left-hand turns are herein prohibited.

(f) No vehicle shall stop with its left side to the curb except in alleys and one-way streets.

(g) All vehicles, while loading or unloading goods, wares or merchandise, or other material, within the congested district between the hours of eight a. m. and seven p. m., must stand parallel with the curb.

(h) Any vehicle awaiting at the curb and not loading or un-

loading, shall promptly give way to another vehicle desiring to load or unload goods, wares, merchandise or other material, and no vehicle shall be left standing in any alley within the congested district between the hours of ten o'clock a. m. and seven o'clock p. m., longer than is necessary for the purpose of loading or unloading goods, wares or merchandise and other material.

(i) No vehicle shall back in any street if at the time of so backing, there is another vehicle approaching upon such street within a distance of fifty (50) feet thereof.

(j) Street cars and interurban cars shall stop on the near side of intersecting streets and not the far side, for the purpose of taking on or discharging passengers, provided however, that when in the opinion of the Board of Public Works, a near side stop would tend to cause danger, inconvenience or discomfort to passengers or hindrance to traffic at a particular intersection, said Board of Public Works may by an order made by such board, designate a far side stop at such intersection and upon notice of such order the street car company or interurban company, their agents and employees, shall comply with the same and shall mark in a manner satisfactory to said Board, the location of such stopping.

(k) No vehicle shall be driven or moved so as to pass through, into or interfere with any civic, military or funeral procession except at the direction of a traffic officer or automatic signal.

Section 3. RIGHT OF WAY. (a) Fire Department vehicles, Police Department vehicles, Salvage Corps vehicles, U. S. Mail vehicles, Emergency Ambulances, both public and private, and Emergency Repair vehicles of all public companies and funeral processions shall have the right of way over all traffic in any street or other public place and through any procession, provided however, that the Fire and Police Department vehicles shall have the right of way over every other kind of traffic whatsoever and provided, further, that the Fire Department shall have the right of way over Police Department vehicles, and all others shall have the right of way in the order named.

(b) Traffic from the right shall have the right-of-way over traffic from the left, except as hereinafter provided.

(c) Traffic on Washington Street and all boulevards as established by the Common Council or the Department of Park Commissioners of such city, shall have the right-of-way over all traffic on other streets unless hereinafter otherwise provided.

(d) Traffic on Massachusetts, Indiana, Kentucky and Virginia Avenues, shall have the right-of-way over all traffic on other streets.

(e) On East New York Street, from the Big Four Railroad tracks to Emerson Avenue, east and west traffic shall have the right-of-way over the north and south traffic. On East Michigan Street from the Big Four Railroad tracks to Emerson Avenue, the east and west traffic shall have the right-of-way over the north and south traffic. On East Tenth Street from the Big Four Railroad track elevation to Emerson Avenue, the east and west traffic shall have the right-of-way over the north and south traffic. On West Michigan Street from White River, west to the city limits, east and west traffic shall have the right-of-way over the north and south traffic. On Oliver Avenue, from White River west to the city limits, the east and west traffic shall have the right-of-way over the north and south

traffic. On Morris Street from Shelby Street to Eagle Creek, the east and west traffic shall have the right-of-way over the north and south traffic; and all traffic in Harding Street at the intersection of Morris Street shall come to a complete stop before entering into or crossing Morris Street at the intersection of Morris and Harding Streets. On Capitol Avenue from Washington Street to Maple Road Boulevard, the north and south traffic shall have the right-of-way over the east and west traffic. On Meridian Street from Washington Street to the canal the north and south traffic shall have the right-of-way over the east and west traffic.

(f) All vehicles, city and interurban cars approaching any of the following named streets and avenues shall come to a complete stop before continuing into or across same:—North Capitol Avenue from Washington Street to the Canal; East New York Street from Massachusetts Avenue to Dorman Street; Marlow Avenue from Dorman street to Arsenal; East New York Street from Arsenal to Emerson Avenue; East Michigan Street from Big Four Railroad tracks to Emerson Avenue; Washington Street from city limits east to city limits west; Maple Road Boulevard from Northwestern Avenue to Fall Creek; Fall Creek Boulevard north; Washington Boulevard from Fall Creek to the Canal; Delaware Street from Washington Street north to Thirty-second Street; Burdsal Parkway from Northwestern Avenue to East Riverside Drive; Northwestern Avenue from Fifteenth Street to the city limits; Massachusetts Avenue from Ohio Street to the city limits; Kentucky Avenue from Washington Street to Thirty-sixth Street; Indiana Avenue from Ohio Street to Sixteenth Street; Sixteenth Street from Sugar Grove to White River Parkway; Virginia Avenue from Washington Street to Prospect Street; Madison Avenue from South Street to the city limits; Twentyninth Street from Capitol Avenue to East Riverside Drive; Pleasant Run Boulevard from Meridian Street east to Prospect Street; West Morris Street from Madison Avenue to west city limits; Prospect Street from Fountain Square east to Keystone Avenue. The above named Streets and Avenues as set out in this sub section (f) are hereby declared to be preferential streets, for the purpose of regulating traffic upon or crossing over same.

(g) At street intersections where silent policemen are placed, vehicles entering such intersection shall not cross the center of such intersection streets, if at such time another vehicle is approaching from its right and about to cross its path, and is at a point within three (3) feet of such intersection. Such vehicle at the right unless herein otherwise provided, shall have the right-of-way over such other vehicle.

(h) The driver of any vehicle on the approach of any fire or police apparatus shall immediately drive said vehicle to the curb at the right hand of the driver and stop such vehicle until such apparatus is passed.

(i) No vehicle shall follow closer than three hundred (300) feet of any fire apparatus while the same is answering an alarm of fire, and shall not approach said fire apparatus, or park said vehicle within six hundred (600) feet of the same after said apparatus has arrived and stopped at the destination of a fire.

(j) Street cars, upon the approach of such fire or police apparatus shall be stopped immediately, if between a street intersection.



(k) The driver of any vehicle shall not enter any street intersection if police or fire apparatus is approaching such street intersection within a distance of three (300) feet.

Section 4. PARKING PARALLELED. All vehicles, when parked, shall be parked parallel to the curb, and with the outer edge of the tires thereof within six inches of the curb.

Section 5. PARKING. On all streets and avenues thirty feet or less in width from curb to curb, the parking of vehicles shall be restricted to one side of the street or avenue; if the street runs north and south, parking shall be on the west side only; if the street runs east and west, parking shall be on the south side only.

Section 6. PARKING PROHIBITED. There shall be no parking at any time at the following places:

(1) The west side of Illinois Street between Washington and Court Streets;

(2) The east side of Illinois Street between Washington and Pearl Streets;

(3) The east side of Meridian Street between Washington and Pearl Streets;

(4) The west side of Pennsylvania Street between Washington and Court Streets;

(5) The north side of Thirtieth Street from Fall Creek to White River;

(6) The north side of Sixteenth Street from the Monon tracks to Senate Avenue;

(7) The north side of St. Clair Street from the Monon tracks to Senate Avenue;

(8) The north side of East Forty-second Street between College and Carrollton Avenue;

(9) The south side of East Forty-second Street from College to Broadway;

(10) The east side of Clifton Street between Roach and Thirty-fourth Streets;

(11) The north side of New York Street from Randolph Street to Emerson Avenue;

(12) The west side of Bird Street between Ohio and New York Streets;

(13) The south side of East Tenth Street from Massachusetts Avenue Railroad track elevation to Olney Street;

(14) Fourteenth Street between Illinois and Meridian Streets;

(15) The south side of Fourteenth Street between Meridian and Pennsylvania Streets;

(16) The south side of Forty-sixth Street from Illinois Street to College Avenue;

(17) The north side of Tenth Street from Meridian Street to Fall Creek;

(18) The north side of Howard Street from Harding Street to Belmont Avenue;

(19) The south side of Nineteenth Street between Illinois and Meridian Streets;



(20) The south side of Nineteenth Street between Delaware and New Jersey Streets;

(21) The west side of Meridian Street from Bluff Avenue to the Belt Railroad;

(22) The south side of Seventeenth Street between Meridian and Pennsylvania Streets.

(23) The east side of Illinois Street between Washington and Court Streets;

(24) The South side of East New York Street from Oxford Street to Belt Railroad tracks;

(25) The west side of Hawthorne Lane from Washington to Lowell Avenue;

(26) The west side of Fort Wayne Avenue between Pennsylvania and St. Clair Streets;

(27) The east side of Station Street from Roosevelt Avenue to Twenty-fifth Street;

(28) The northeast side of Southeastern Avenue from Washington Street to Leota Street;

(29) The east side of Riverside Drive from Eighteenth Street to Nineteenth Street;

(30) The north side of Seventeenth Street from Park Avenue to Central Avenue;

(31) The east side of Capitol Avenue between Wabash and Ohio Streets;

(32) On the north side of Palmer Street from Shelby Street to Barth Avenue;

(33) In any street or alley in the congested district, where the width of the same is less than forty feet from curb to curb, except on the south side of Court Street between Delaware and Pennsylvania Streets, from 6:30 p. m. and 6:30 a. m.

(34) For a space of twenty-five feet immediately in front of the entrance of any church, hotel, theater, motion picture house, steam railway station, bus station or interurban station, or other public meeting place; within a space of forty feet in front of the entrance of any hotel where such space is reserved to the hotel by special permit from the Board of Public Safety, within a distance of twenty-five feet of any roadway intersection; within fifteen feet of any hydrant;

(35) On the north side of Washington Street from Rural Street to Noble Street, on the west side of Meridian Street from Fall Creek to Sixteenth Street, on the west side of Capitol Avenue from Fall Creek to Sixteenth Street, from 7:30 a. m. to 9:00 a. m.;

(36) On the south side of Washington Street from Rural Street to Noble Street, on the east side of Meridian Street from Fall Creek to Sixteenth Street, on the west side of Capitol Avenue from Fall Creek to Sixteenth Street, from 4:30 p. m. until 6:00 p. m.;

(37) On the north side of North Street from Cincinnati Street to Noble Street, on the south side of Walnut Street between Liberty and Noble Streets, on the west side of Liberty Street from North Street to Walnut Street, on the west side of Noble Street from North Street to Walnut Street, between the hours of 6:00 o'clock a. m. and 6:00 o'clock p. m. of each day except Sunday;

(38) On the west side of Butler Avenue, between Washington Street and Pennsylvania tracks;

(39) On the west side of Osage Street between Ohio and New York Streets;

(40) On the south side of Fortieth Street between Illinois and Boulevard Place;

(41) On the east side of Central Avenue from Fort Wayne Avenue to Thirteenth Street and on the north side of Henry Street between Illinois and Meridian Streets between 6:00 o'clock a. m. and 9:00 o'clock p. m.;

(42) On Oriental Street between Washington Street and the first alley north thereof and on the north side of Washington Street from Oriental Street east to a point 150 feet distant therefrom.;

(43) On the Circle, or on any bridge or under any elevation within the corporate limits of the city;

Section 7. Restricted Parking. The parking of vehicles between the hours of 8 a. m. and 7 p. m. in the streets, alleys and public places in the city of Indianapolis, is hereby restricted as follows: (A) to one hour in the congested district; (B) To twelve hours on all streets outside the congested district.

Section 8. RESERVED SPACE. (a) The Board of Public Safety may by distinct lines or other signs mark off in a manner that may be visible and easily seen, and said Board may mark off and reserve a space not exceeding forty feet in front of the entrance of any hotel for the use of such hotel, at one of which such hotel may park a taxicab.

(b) The occupant of any premises may prevent any parking of vehicles upon any public street in front of such premises in the following manner: Such occupant shall deposit in the office of the City Controller the sum of ten (\$10) dollars, one-half of which shall immediately go into general fund of the city, for which deposit the City Controller shall give a receipt which when presented to the Chief of Police shall entitle such occupant to receive two (2) iron markers, bearing the inscription "NO PARKING" or words of equivalent meaning, such markers to be known as "Silent Policemen." Such occupant upon returning to the Chief of Police said "Silent Policemen" shall receive a receipt thereof, which when presented to the City Controller shall entitle him to a refund of one-half of such deposit. Such occupant may place said "Silent Policemen" upon the edge of the sidewalk adjacent to the roadway in front of said premises, not to exceed eighteen (18) feet apart, and while they are so placed no vehicle shall be parked in the space included between them, provided, however, that if any vehicle is lawfully parked therein when said "Silent Policemen" are set out, such vehicle may remain parked therein until the expiration of the then remaining parking time allowed by this ordinance. A space not greater than eighteen (18) feet in length may be reserved in the following manner: Reservations of such space and the prohibiting of parking therein shall be made only when such space is required immediately by said occupants and between the hours of eight o'clock a. m., and seven o'clock p. m., and then only for the purpose of loading or unloading of passengers, goods, wares, merchandise or material, and such space shall be released immediately upon the termination of the necessity

for such reservation thereof, and such "Silent Policemen" shall immediately be removed from view. Nothing contained in this paragraph shall authorize the reservation of space for the parking of any occupants' own vehicle or vehicles. When there are two or more occupants of any premises who use a common entrance thereto, only one space can be so reserved. Provided, however, that such occupants may by private arrangements among themselves make use in common of a single set of "Silent Policemen," but such space shall not be held in reserve for succeeding periods by reason of such common use. Provided further, that in addition to the penalties hereinafter provided, any occupant or occupants of such premises found guilty of violating any of the provisions of this section shall be deprived of the further use of such "Silent Policemen," shall surrender the same to the Chief of Police, and the balance of the ten dollars deposited with the City Controller shall be forfeited and become a part of the General Fund of the city of Indianapolis, Indiana.

Occupants desiring more than eighteen (18) feet of space may obtain the same on special permit from the Board of Safety and by renting an additional marker for each additional eighteen (18) feet of space desired and for each additional marker shall make a further deposit of ten dollars each.

In addition to the deposit required for markers an annual rental of Fifty (\$50) Dollars shall be paid in advance to the City Controller for the markers for the first eighteen (18) feet and for a marker for each additional eighteen (18) feet they shall pay an annual rental of One Hundred (\$100) Dollars, provided that no more than seventy-two (72) feet shall be so reserved.

Section 9. PARKING PERMITS. Whenever any hotel, having not less than two hundred guest rooms, or any social club or organization having not less than one thousand bona fide members, and which hotel, club, or organization shall be located within the congested district of the city, shall make a request in writing to the Board of Public Safety for special parking space on the street adjacent to such hotel, club or organization, the Board of Public Safety shall set apart not more than two such parking spaces for each hotel, club or organization making such street, which space shall be designated by such board with appropriate markers or standards, and shall be used exclusively for the purpose of parking of vehicles used for the transportation of passengers to and from such hotels, clubs or organizations. In no instance shall such parking space exceed twenty-four feet in length along the curb of such streets. Such hotels, clubs or organizations shall pay to the City Controller a license fee annually of \$25.00 for the use of such standards or markers. Such parking spaces, when so marked off and set aside, shall be used for no other parking purposes than those enumerated in the next proceeding section.

Such hotel, club, or organization may designate in writing to the Board of Public Safety from time to time for their respective places, the persons who shall use such parking spaces for such purpose on such adjacent streets. After such spaces have been properly marked off and designated as provided in this section and such hotel, club or organization shall have designated the persons who shall use said space, it shall thereafter be unlawful for any other person to use such parking space.



Section 10. SAFETY ZONES. The Board of Public Safety may establish Safety Zones which shall be marked off and indicated by painted lines, standards, discs or unloading platforms and it shall be unlawful for the drivers of any vehicle to drive over or into any such Safety Zones, or any such painted lines, standards, discs or loading platforms at any time.

No vehicle shall remain stationary in that part of the street paralleled to any such Safety Zone or within twenty (20) feet from the end thereof, except upon signal of the traffic officers directing the traffic at such places or to unload freight or passengers to business houses fronting on such Safety Zones, where there is no other means of access thereto.

Section 11. MOTOR BUS SAFETY PARKING ZONES. The following described spaces on South Alabama street are hereby designated and established as motor bus safety parking zones:

(a) Beginning at the intersection of the south curb line of East Washington Street with the east curb line of South Alabama street, thence forty feet south along the east curb line of South Alabama street, thence ten feet west, thence forty feet north, thence ten feet east to point of beginning.

(b) Beginning at the intersection of the south curb line of East Washington street with the west curb line of South Alabama street, thence forty feet south along the west curb line of South Alabama street, thence ten feet east, thence forty feet north, thence ten feet west to point of beginning.

Section 12. USE OF ZONES. No person shall operate any vehicle other than a motor bus through, into or over any parking zone as designated in the next preceding section while any motor bus is stopped or parked therein and, no person shall stop or park any vehicle other than a motor bus within or on any of said zones.

Section 13. RIGHT AND LEFT HAND TURNS. No vehicle shall be turned to the right or to the left for the purpose of entering into or upon another street at the intersection of Washington and Meridian Streets during the following named periods: from eleven-thirty (11:30) a. m. to two (2) o'clock p. m., and from four-thirty (4:30) p. m. to six (6) o'clock p. m.

Section 14. LEFT HAND TURNS. (a) No vehicle shall be turned to its left for the purpose of turning around in any street or for turning into another street at any of the following corners, within such city during the hours any traffic policeman is on duty at such corners; Washington Street and Illinois Street; Washington Street and Pennsylvania Street; Ohio Street and Pennsylvania Street, and Ohio Street and Illinois Street.

(b) At all other street intersections within the Congested District, not named in this section or the preceding section, where traffic officers are on duty, right or left-hand turns may be made when in the judgment of the traffic officer, the condition of traffic will permit.

(c) All vehicles entering the Circle shall turn to the right and all traffic therein shall proceed in one direction, namely counter clockwise, as from south to northeast, from east to northwest, from north to southwest and from west to southeast.



Section 15. MOVEMENT OF TRAFFIC. On Massachusetts Avenue at Ohio Street, vehicles shall move west with the west bound traffic.

(b) On Indiana Avenue at Illinois Street, vehicles shall move south with the south bound traffic.

(c) On Virginia Avenue at Pennsylvania Street, vehicles shall move north with the north bound traffic.

(d) On Kentuck Avenue at Washington Street, vehicles shall move east with the east bound traffic.

(e) On Massachusetts Avenue, Indiana Avenue, Kentucky Avenue and Virginia Avenue, except as otherwise herein provided, all vehicles shall be governed as to the direction they move at crossings, by the signals of police officers and the indication of three-way semaphores.

Section 16. ONE-WAY STREETS. (a) In the Congested District in Wabash, Court, Pearl, Muskingum and Chesapeake Streets and in McCrea between Georgia and Louisiana Streets and in Louisiana Street between McCrea and Meridian Streets, all vehicles shall move in one direction only; entering from the north and proceeding south; and entering from the east and proceeding west.

(b) In Court Street from New Jersey to West Street and in Pearl Street from New Jersey Street to Alabama Street, traffic shall enter from the east and move west only.

(c) In all alleys running north and south in the Congested District, vehicles shall enter from the north and proceed to the south. In all alleys running east and west in the Congested District, vehicles shall enter from the east and proceed to the west, and all traffic shall turn to the right when entering or leaving the alleys in such Congested District.

(d) The following named streets are hereby declared to be one-way streets from the hours of eight a. m. to seven p. m., between the points hereinafter designated.: Bird Street, northbound traffic only from Ohio to New York Street; Hudson Street, northbound traffic only from New York Street to Ohio Street; Chesapeake Street, west bound traffic only from Delaware Street to Capitol Avenue.

Section 17. LOADING AND UNLOADING PASSENGERS. Taxicabs and other vehicles except street cars must load and unload passengers at a point in the street at the curbline, and in no other place.

Section 18. OFFICERS' SIGNALS. Traffic Officers stationed at street intersections shall direct the movements of all vehicles within such street intersections by the use of a semaphore or other signals. In case such signal consists of whistle, such officer shall give one blast of the whistle which will indicate that the traffic shall move north and south; two blasts of such whistle, which will indicate that traffic shall move east and west at any intersection where Massachusetts, Indiana, Kentucky or Virginia Avenues intersect; such traffic shall move in case of such signal by three blasts of the whistle, unless otherwise herein provided. A series of short blasts of such whistle shall indicate danger. Traffic shall move in only one direction, and when indicated by such signal, or by signal displayed by such semaphore and operated by traffic or other police officers, indicating the direction to which traffic is to move. These provisions shall govern

the movement of all vehicles and all city and interurban cars. These provisions shall also apply to automatic traffic signals wherever the same are in operation.

Section 19. SIGNALS. (a) All drivers and pedestrians must at all times comply with any direction given by the voice, hand or other means, by any member of the police or fire force, as to stopping, starting, approaching or departing from any place, the manner of taking up and setting down passengers or loading or unloading goods.

(b) All drivers of vehicles before crossing any sidewalk into or out of driveways or alleys shall give warning to pedestrians using the same, of their intention so to do by sounding the horn or by some other distinct manner.

Section 20. PEDESTRIANS. (a) All pedestrians crossing the street intersections in the Congested District shall cross at right angles, and shall not cross diagonally at such intersections. Such pedestrians shall cross only on the signal of the traffic officer, if one is stationed at such crossing, and shall move in the direction of the traffic.

Section 21. TAXICAB AND BUS STANDS. No taxicab shall park at any place within the Congested District except within the following places:

(a) For a continuous space of one hundred and fifty (150) feet on Kentucky Avenue, from the corner of Illinois Street and Kentucky Avenue, on the south east side of said Kentucky Avenue.

(b) For a continuous space of one hundred and fifty (150) feet on the east end of Market Street between Illinois Street and Capitol Avenue on the north side thereof.

(c) On the north side of Jackson Place, between Illinois Street and McCrea Street, provided, however, that all such taxicabs shall be parked at right angles with the north curb of Jackson Place, with the rear of such machines parked flat against the curb and provided further, that no such taxicabs shall be parked within fifty (50) feet of the east curb of Illinois Street or the west curb line of McCrea Street.

(d) For a continuous space of twenty-five (25) feet south of the south curb line of Court Street on the west side of Illinois Street.

(e) On the North Side of Washington Street beginning at a point 28 feet west of the west line of Scioto Street and continuing thence west 14 feet.

(f) Between the hours of eight o'clock a. m. and seven o'clock p. m., no vehicles except taxicabs shall park in or on any of the aforesaid spaces reserved for taxicabs.

Section 22. DELIVERY VEHICLES. (a) On all streets, alleys and public places commercial delivery and slow moving vehicles, shall be operated within three (3) feet of the right hand curb of such street, unless prevented from doing so by another vehicle at or near such curb.

(b) No commercial delivery vehicle shall be operated within the Congested District on Washington, Market, Ohio, Pennsylvania, Meridian or Illinois Streets, except to haul loads over said streets to be delivered within such Congested District, or to haul any load

from a point within such Congested District or to some other point inside or outside of such Congested District, provided, however, that in any case, such vehicle shall be driven over the shortest route within such Congested District. No commercial vehicle or vehicle used for heavy hauling shall be operated on Meridian Street between Sixteenth Street and Fall Creek Boulevard except where the same is necessary and unavoidable in delivering goods or materials to and from points within such territory, provided, however, that in any such cases, such vehicle shall be driven over the shortest route necessary within such territory.

Section 23. REGULATIONS OF VEHICLES. (a) No vehicle shall be driven upon any street so loaded or constructed as to prevent the driver thereof from having a clear view of the traffic on both sides of such vehicle.

(b) No vehicle shall be operated in or upon any such street or other public places, if either such vehicle or its load or the contents thereof make a lot of unusual noise. All vehicles shall be constructed or loaded in a manner to prevent the contents from being scattered upon or over the street.

(c) No vehicle shall be driven or maintained upon the streets or public places of such city, containing any material or load projecting a distance of more than five (5) feet from the rear end of such vehicle, unless the same shall be provided with a signal as herein provided. From the hours of thirty (30) minutes after sunset to thirty (30) minutes before sunrise such vehicle shall have attached to the rear end of such load, a red light of sufficient rays to be visible a distance of two hundred (200) feet, and if in the day time such signal shall be a red flag in place of such red light.

(d) All horse-drawn vehicles and human-propelled, including bicycles, shall maintain a lighted light of white rays on the front and red light on the rear thereof, both of which shall be visible for a distance of one hundred (100) feet, while such vehicle is in or upon any street, alley or other public place in such city during the period of from one-half ( $\frac{1}{2}$ ) hour after sunset until one-half ( $\frac{1}{2}$ ) hour before sunrise.

Section 24. TOWING VEHICLES. No vehicle shall tow another in or upon any street or public place unless such vehicles are operated at a distance of less than fifteen (15) feet apart. If such vehicle being towed at any time between one-half ( $\frac{1}{2}$ ) hour after sunset, and one-half ( $\frac{1}{2}$ ) hours before sunrise, such vehicle being towed shall maintain lights on both sides and the rear thereof, visible in the rear and on both sides for a distance of at least two hundred (200) feet.

Section 25. TRAILERS. (a) Not more than one vehicle with or without motive power, commonly called a trailer, may be attached to another vehicle having motive power.

(b) No trailer shall be attached to any vehicle in such a manner as to leave more space than five (5) feet between the rear line of the body of the front vehicle and the front of the body of such trailer.

(c) Every vehicle used as a trailer shall be subject to all the provisions of ordinances relating to license and lights for the vehicle to which it is attached.



vehicle or trailer operated by the City of Indianapolis, except as to the provisions for lights.

Section 26. AGE OF DRIVER. No person under fourteen (14) years of age shall be permitted to drive any horse-drawn vehicle.

Section 27. PERMITTING CHILD TO DRIVE. It shall be unlawful for the owner of any motor vehicle or motor bicycle or other person, to permit the same to be driven by any person under sixteen (16) years of age, and it shall be unlawful for the owner of any horse-drawn vehicle or other person to permit the same to be

(d) Provided, however, that this section shall not apply to any driven by any person under the age of fourteen (14) years.

Section 28. HANGING ON VEHICLES. No one shall ride upon, hold to or hang upon any vehicle in such manner, that his body or any part of it, shall protrude beyond the limits of the vehicle.

Section 29. USE OF RED LIGHT. (a) No vehicle excepting those of the Fire Force, Police Force, Emergency Ambulances and Salvage Corps, shall use red light, as flash lights or spot lights on the front of said vehicle.

Section 30. QUIET ZONE. (a) There is hereby created and established a "Zone of Quiet," in all territory embraced in a distance of two hundred and fifty (250) feet from the premises of each hospital in such city. The Board of Public Safety may place at some conspicuous place in said street, within such radius of two hundred and fifty (250) feet, a sign or placard containing the following words, "ZONE OF QUIET." No person or vehicle shall make any loud or unusual noise, sound of music within or upon any of the streets, alleys, or public places within any such "Quiet Zones," and the making of the same is hereby declared to be a nuisance.

(b) The use of any automobile horn for any purpose other than as a warning of the approach or as a danger signal is hereby declared to be a nuisance.

(c) No siren, whistle, gong, horn or device, such as are used by the Fire Department Vehicles, Police Department Vehicles, Salvage Corps vehicles, Emergency Ambulances, both public and private. U. S. Mail vehicles, and the Emergency Repair vehicles of public utility companies, shall be used on bicycles, motor bicycles, automobiles, motor trucks, or other vehicles not herein mentioned and such use thereof is declared to be a nuisance.

Section 31. STREET CARS. (a) Street cars shall have the right-of-way over all other traffic except as herein otherwise provided, between cross streets. In case any vehicle or person shall be in or upon any track over which an approaching street car is traveling, the operator of such street car shall signal the driver of such vehicle, and upon such signal it shall be the duty as soon as practicable for such driver of such vehicle or such pedestrian to turn out of such track.

(b) The operator of any street car when the same is exceeding the rate of speed of ten (10) miles per hour, shall not operate the same except at a distance of more than two hundred (200) feet from any other street car on the same track, and when such street



car is being operated at a speed not exceeding ten (10) miles per hour, or when such street car is stopped during blockades or otherwise a clear space of not less than ten (10) feet shall be kept between such street car and any other street car on the same track, provided however, that this provision shall not apply in case of two or more street cars or trailers attached together, or about to be attached together for the purpose of being operated while connected with each other.

(c) City street cars and interurban cars shall not be operated at any place within the city at a greater rate of speed than twenty-five (25) miles per hour, outside the Congested District, and not exceeding ten (10) miles per hour within the Congested District.

(d) All passengers must be loaded and unloaded in Safety Zones as marked by the Police Department.

Sec. 32. FRONT SEATS. Not more than three persons, including the driver, shall ride in the front seat of an automobile.

Sec. 33. MOVING. No person, firm or corporation shall move into or out of any building within the Congested District, the furnishings, equipment or personal property of any residence office or business place, in any moving van or vehicle, between the hours of 8 a. m. and 7 p. m. without first procuring a permit to do so from the traffic department of the Indianapolis Police Department. This ordinance is not intended to apply to the delivery of merchandise.

Sec. 34. BUSES. Buses shall stop on the near side of the crossing only, and at the curb, outside the congested district. Inside the congested district, the traffic department of the Indianapolis Police Department may establish and designate safety zones, in addition to those enumerated herein, where buses may load and unload passengers.

Sec. REPORTING AT TRAFFIC OFFICE. Notice. Whenever a member of the Police Force shall find that any of the provisions of this ordinance, relating to Traffic Regulations, are being violated by the owner or operator of any vehicle such officer shall notify such owner or operator in writing of such violation and for him to report at the Traffic Office within seventy-two hours. Such notice shall be made in duplicate and shall show the specific violation, the State License number of such vehicle and the owner's name, if possible to obtain the same, and shall be signed by such police officer giving his badge number. One copy of such notice shall be presented to the owner of such vehicle or his representative when found in charge of such vehicle, and in case such owner or his representative be not found in possession or in charge thereof, the posting of such notice in a conspicuous place upon the vehicle shall be deemed sufficient notice of such violation. It shall be the duty of such police office to make a report to the Traffic Office of the service of such notice which report shall give the nature of the violation, the State License number of the vehicle and the name of the owner upon whom such notice was served, if possible to obtain it. The owner or operator of such vehicle who has been notified of a violation of the Traffic Regulations as herein provided shall, within seventy-two hours after having been notified, present himself, together with the notice, at the Traffic Office at Police Headquarters, and for the first violation of any traffic regulation as herein provided shall pay to the City Clerk a fee of two dollars (\$2.00); for the

second violation, a fee of three dollars (\$3.00); and for each subsequent violation, a fee of five dollars (\$5.00).

Sec. 36. RECEIPT FOR FEES, ACCOUNTING. Upon the payment of the fee provided in the next preceding section the City Clerk shall issue a receipt to the owner of such vehicle, or his representative, and it is hereby made the duty of said Clerk to keep a correct record, showing the amount so paid, the date thereof, the number of the State License, and the name of the owner, and shall designate the violation for which such fee is paid, and whether or not such violation is the first, second, or a subsequent violation by such owner. And it is made the duty of such Clerk to account for all fees assessed and collected by him under the provisions of this and the next preceding section and to pay the same into the City Treasury once each month.

Sec. 37. FAILURE TO REPORT. Whenever any person who has been notified to appear as provided in the next preceding two sections of this ordinance shall fail or refuse to present himself at the Traffic Office within seventy-two hours after service of such notice, or shall fail to pay the fee provided for his offense, it is hereby made the duty of the officer serving such notice to file, or cause to be filed, in the proper court, an affidavit charging such person with the violation specified in the notice, and to assist in the prosecution of such charge.

Sec. 38. PENALTY. It is hereby made the duty of every person, firm or corporation, operating any vehicle within such city, or causing or permitting the use or operation of any such vehicle to comply with all the provisions of this ordinance with reference to traffic. Any person violating any of the above provisions of the next preceding thirty-two sections, shall, on conviction be fined in any sum not exceeding Three Hundred (\$300.00) Dollars, to which may be added imprisonment not exceeding one hundred and eighty (180) days.

Sec. 39. This ordinance shall be in effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Raub, Chairman; Mr. Springsteen, Mr. Dorsett, Mr. Bartholomew and Mr. Ferguson.

#### GENERAL ORDINANCE NO. 49, 1926

AN ORDINANCE, to prohibit the use of any property within the corporate limits of the City of Indianapolis as a public or private dumps, for inflammable materials, declaring the same a fire hazard, fixing a penalty for the violation of the same, defining inflammable material, declaring an emergency and fixing a time when the same shall take effect.

WHEREAS, certain lots of ground and other places in different communities of the City of Indianapolis are now being used as a dumping ground, and

WHEREAS, there have been numerous fires in and on the said dumps, caused from inflammable materials costing the taxpayers of the City of Indianapolis several thousands of dollars to put out and abate these fires, and

WHEREAS, it has been necessary for the City of Indianapolis to keep certain fire apparatus stationed at a number of these various dumping grounds almost continuously, and

WHEREAS, the City of Indianapolis by and through its Fire Department, Board of Public Health and Fire Prevention Bureau have declared these various dumping grounds unsanitary and a fire hazard, Now Therefore

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That it shall be unlawful for any person, firm, corporation or association to hereafter dump or cause to be dumped any inflammable waste or refuse whatsoever upon any property located within the corporate limits of the City of Indianapolis.

Section 2. INFLAMMABLE MATERIAL DEFINED. The words "inflammable materials" as used in this ordinance shall be construed to mean anything inflammable or combustible, such as: paper cartons and boxes, oil, waste, excelsior, automobiles or parts thereof, rubber, or rubber tires, oil paper, scrap paper, tar paper, garbage, or any other inflammable or combustible materials.

Section 3. Any person, firm, corporation or association who shall violate any provision of this ordinance shall upon conviction for the first offense be subject to a fine of not less than \$100, nor more than \$200, and for the second or any subsequent offense be subject to a fine of not less than \$100, nor more than \$200, to which may be added imprisonment in the Marion County Jail for not less than thirty days nor more than sixty days.

Section 4. All ordinances or parts of ordinances which may be in conflict with this ordinance are, insofar as they so conflict, hereby repealed.

Section 5. If any section or any part of any section of this ordinance shall be declared unconstitutional by a court of competent jurisdiction then the remainder shall not be affected thereby and such other provisions shall continue in full force and effect.

Section 6. WHEREAS, an emergency has been declared to exist, this ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Bartholomew:

GENERAL ORDINANCE NO. 50, 1926

AN ORDINANCE, to amend Section 476, Sub-section 8, of General Ordinance No. 121, 1925, entitled: "An Ordinance concerning the government of the City of Indianapolis, providing penalties

for its violation and with stated exceptions repealing all former ordinances."

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That Section 476, Sub-section 8, of General Ordinance No. 121, 1925, entitled: "An Ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances," be amended to read as follows:

SECTION 476, (8). DANCING. For the maintenance of any dance hall or any hall or building used exclusively for dancing or amusement purposes, and the giving of dances therein, other than a private residence, Two Hundred (\$200.00) Dollars per year. Provided, That no license shall be required for the giving of any private dance in connection with any school or class for the teaching of dancing, given by the proprietor or manager of such school on behalf of the regular pupils, to which no admission fee is charged; Provided further, that for any dance given in a room, hall or building, which is also used for the serving of foodstuffs other than soft drinks, the license fee shall be one dollar per day; Provided further, that for any dance given in any room, hall or building other than a private residence, and which is not used exclusively for dancing or amusement purposes, the license fee shall be one dollar per day.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Safety.

By the City Controller:

#### GENERAL ORDINANCE NO. 51, 1926

AN ORDINANCE, authorizing the City of Indianapolis to make a Temporary Loan or Loans for the use of the Board of Health of the City of Indianapolis, Indiana, in anticipation of its current revenues and payable out of the current revenues of said Board of Health for the year 1926, authorizing the rate of interest to be charged therefor, providing for legal notice and fixing a time when the same shall take effect.

WHEREAS, the Board of Health of the City of Indianapolis, Indiana, on the 15th day of July, 1926, will be and continue to be until the 15th day of December, 1926, without sufficient funds to pay its salary pay roll and other current expenses for Board of Health purposes, and

WHEREAS, the said current expenses and said pay rolls for said period will amount to approximately One Hundred and Twenty-Five Thousand (\$125,000.00) Dollars, and

WHEREAS, the second semi-annual installment of taxes levied by the City of Indianapolis, for general Board of Health purposes for the year 1925, and collectible on or before the 15th day of



November, 1926, will amount to more than One Hundred and Fifty Thousand (\$150,000.00) Dollars.

NOW THEREFORE, be it resolved by the Board of Health of the City of Indianapolis, Indiana, that an ordinance be prepared and presented to the Common Council of the City of Indianapolis, Indiana, for passage for the making of a Temporary Loan or Loans, by the City of Indianapolis, for the total sum of One Hundred and Twenty-five Thousand (\$125,000.00) Dollars for the use of said Board of Health, for said purposes, at a rate of interest not to exceed six (6%) per cent per annum, and for a period not exceeding five months from the date of such Temporary Loan or Loans to be made in anticipation of the current revenues of the said Board of Health and collectible in the year 1926; said Loan or Loans to bear interest at said rate, as herein stated from the time each parcel of said loan or loans are checked out for the use of said Board of Health, and

BE IT FURTHER RESOLVED, by said Board of Health, that there be and hereby is appropriated out of the current revenues of said Board of Health for the year 1926, for the purpose of paying said loan or loans and interest thereon as the same become due, the sum of One Hundred and Twenty-eight Thousand, One Hundred and Twenty-five (\$128,125.00) Dollars.

*Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller be and is hereby authorized and empowered to negotiate a Temporary Loan or Loans for the use of the Board of Health of the City of Indianapolis, Indiana, in anticipation of current revenues of said Board of Health for the year 1926, said Loan or Loans to be made for the total sum not to exceed One Hundred and Twenty Five Thousand (\$125,000.00) Dollars, and payable out of the current revenues of said Board at a rate of interest not to exceed six (6%) per cent per annum and for and during a period not exceeding five (5) months from the date thereof; Said Loan or Loans to be available and subject to check by said City for the use of said Board of Health, as follows: Fifty Thousand (\$50,000.00) Dollars, August first, 1926, Fifty Thousand (\$50,000.00) Dollars, September first, 1926, and Twenty Five Thousand (\$25,000.00) Dollars, September 15th, 1926. Said loan or loans bearing interest not exceeding the rate as herein provided, from the dates as herein set forth, to-wit: August first; September first, and September 15th, 1926. Said Board of Health shall have the privilege to make a partial payment on said loan or loans, at anytime, before said loan or loans are due, and when any such payment or payments are made, the interest on any such payment so made shall cease. After the publication of the herein determination to issue such Temporary Loan or Loans, and as provided in Section 2, of this ordinance, said loan or loans shall be let to the lowest bidder at competitive bidding on the annual rate of interest under conditions prescribed in notice of the same, which shall be published for at least one day in at least one daily newspaper of general circulation of said City. The Mayor, City Controller are hereby authorized and directed to execute the proper obligations of said City for the amount or amounts so borrowed, which shall also

be countersigned by the president of the Board of Health and to the payment of said obligations the faith of the City of Indianapolis, is hereby irrevocably pledged.

Section 2. The Mayor, City Controller and Corporation Counsel are hereby authorized and directed to publish notice of the determination herein made, to issue the bonds or other evidence of indebtedness for such temporary loan or loans as required by law.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Mr. Dorsett, Dr. Todd, Mr. Bartholomew and Mr. Negley.

By the City Controller:

GENERAL ORDINANCE NO. 52, 1926

AN ORDINANCE transferring the sum of Twenty-Five Hundred (\$2,500.00) Dollars from Fund No. 25, Police Department, Department of Public Safety, and reappropriating the same to Fund No. 45, Police Department, Department of Public Safety; and transferring and reappropriating the sum of Thirty-Six Hundred (3,600.00) Dollars from Fund No. 33, Police Department, Department of Public Safety, as follows: Two Thousand (\$2,000.00) Dollars to be transferred and reappropriated to Fund No. 72, Police Department, Department of Public Safety; Five Hundred (\$500.00) Dollars to be transferred and reappropriated to Fund No. 36, Police Department, Department of Public Safety; Two Hundred (\$200.00) Dollars to be transferred and reappropriated to Fund No. 41, Police Department, Department of Public Safety; Seventy-five (\$75.00) Dollars to be transferred and reappropriated to Fund No. 22, City Dog Pound, Department of Public Safety; One Hundred and Seventy-five (\$175.00) Dollars to be transferred and reappropriated to Fund No. 25, City Dog Pound, Department of Public Safety; One Hundred (\$100.00) Dollars to be transferred and reappropriated to Fund No. 31, City Dog Pound, Department of Public Safety; One Hundred (\$100.00) Dollars to be transferred and reappropriated to Fund No. 32, City Dog Pound, Department of Public Safety; Two Hundred (\$200.00) Dollars to be transferred and reappropriated to Fund No. 33, City Dog Pound, Department of Public Safety; Fifty Dollars (\$50.00) to be transferred and reappropriated to Fund No. 34, City Dog Pound, Department of Public Safety; and Two Hundred (\$200.00) Dollars to be transferred and reappropriated to Fund No. 45, City Dog Pound, Department of Public Safety; declaring an emergency and fixing a time when the same shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That the sum of Twenty-five Hundred (\$2,500.00) Dollars be and the same is hereby now transferred and reappropriated

priated from Fund No. 25, Police Department, Department of Public Safety, to Fund No. 45, Police Department, Department of Public Safety; that the sum of Thirty-six Hundred (\$3,600.00) Dollars be and the same is hereby now transferred and reappropriated from Fund No. 33, Police Department, Department of Public Safety, to: Two Thousand (\$2,000.00) Dollars to Fund No. 72, Police Department, Department of Public Safety; Five Hundred (\$500.00) Dollars to Fund No. 36, Police Department, Department of Public Safety; Two Hundred (\$200.00) Dollars to Fund No. 41, Police Department, Department of Public Safety; Seventy-five (\$75.00) Dollars to Fund No. 22, City Dog Pound, Department of Public Safety; One Hundred and Seventy-five (\$175.00) Dollars to Fund No. 25, City Dog Pound, Department of Public Safety; One Hundred (\$100.00) Dollars to Fund No. 31, City Dog Pound, Department of Public Safety; One Hundred (\$100.00) Dollars to Fund No. 32, City Dog Pound, Department of Public Safety; Two Hundred (\$200.00) Dollars to Fund No. 33, City Dog Pound, Department of Public Safety; Fifty (\$50.00) Dollars to Fund No. 34, City Dog Pound, Department of Public Safety; Two Hundred (\$200.00) Dollars to Fund No. 45, City Dog Pound, Department of Public Safety.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Controller:

#### GENERAL ORDINANCE NO. 53, 1926

AN ORDINANCE, to require the payment of a fee of One (\$1.00) Dollar for any and all live dogs taken from the City Dog Pound, City of Indianapolis, providing that any person so taking one of these dogs obtain a license within seven days thereafter, requirig the City Pound Keeper to keep a correct and accurate account of all moneys received by him, turn the same over to the City Controller at the end of each working day, to be placed in the General Fund of the City of Indianapolis, repealing any and all ordinances in conflict therewith, declarig an emergency, and fixing a time when the same shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That any person or persons obtaining a dog or dogs from the City Dog Pound shall hereafter pay One (1.00) Dollar each for the same.

Section 2. That any person so obtaining one or more dogs shall provide each with a license within seven days thereafter.

Section 3. That the City Pound Keeper shall hereafter keep a true and correct record of all such collections, giving a receipt for the same, turning all such moneys over to the City Controller at

the end of each working day, to be deposited in the General Fund of the City of Indianapolis.

Section 4. That any and all ordinances heretofore enacted that in any way conflict with this ordinance shall now be repealed.

Section 5. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Board of Works.

## INTRODUCTION OF MISCELLANEOUS BUSINESS

By Mr. Negley:

### RESOLUTION NO. 9, 1926

WHEREAS, the established and customary means of transportation by City Street Car Service within our City Limits has been disarranged, impaired, and curtailed by reason of the failure of the management of the Indianapolis Street Railway Company and its employees to reach an amicable and mutually satisfactory settlement of the differences that have arisen between them, and

WHEREAS, the peace and tranquility of the City of Indianapolis and all of its inhabitants is thereby threatened, and

WHEREAS, it is evident from our knowledge of the present situation that the employees of the said Indianapolis Street Railway Company are willing to arbitrate their differences with their employers and that the Mayor of our City so far has failed to persuade the Indianapolis Street Railway Company to agree to the arbitration of the difficulties involved and,

WHEREAS, the Police and Fire Departments of the City of Indianapolis are being used to make a hostile and unwarranted display of force against peaceable citizens of our City while engaged in exercising their inherent American rights,

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Indianapolis, Indiana, that this Council, by the adoption of this Resolution, does call upon our Mayor, the Board of Safety, and the heads of the Police and Fire Departments to adopt and ("continue to" inserted by amendment) maintain a fair and impartial attitude in the present controversy between the management and employees of the Indianapolis Street Railway Company and to abstain from any demonstration or display of unnecessary force other than that required to furnish Police and Fire protection to all the citizens of our City to which they are by law entitled, and

BE IT FURTHER RESOLVED, that this Council call upon the Mayor of our City forthwith to take the initiative in a sincere effort on his part to bring the two disagreeing parties to the present controversy to a speedy and amicable settlement of their differences by means of arbitration in order that the general welfare of the City of Indianapolis and all of its citizens might not be threatened or impaired, and



BE IT FURTHER RESOLVED, That this Resolution when passed and properly executed, shall be binding upon the City Officials mentioned herein and the same shall have the same force, effect and authority as any City Ordinance would have when passed by this body.

CLAUDE E. NEGLEY.

By Mr. Bartholomew:

RESOLUTION NO. 10, 1926

WHEREAS, The funds in the Department of Public Works, Street Commissioner's Unit, are in a depleted condition at the present time, and

WHEREAS, There was approximately One Hundred and Eight Thousand (\$108,000.00) Dollars recently turned over to the City Controller by the State of Indiana, as the City's share of gasoline tax received during the year 1925, and

WHEREAS, There are now a number of streets in the City of Indianapolis in need of immediate repair. Now, therefore

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

That Roosevelt Avenue, between the Belt Railroad and Nineteenth Street, be resurfaced out of said funds known as "Gasoline Tax Funds of the City of Indianapolis," and Be it further

RESOLVED, That if this Fund is still unexhausted after the resurfacing of Roosevelt Avenue, as above mentioned, that Hillside Avenue, between Nineteenth Street and Bloyd Avenue, be resurfaced as far as possible out of the remaining funds in said Gasoline Tax Funds of the City of Indianapolis.

OTIS E. BARTHOLOMEW.

Which was read a first time and referred to the Committee on Board of Works.

ORDINANCES ON SECOND READING

Mr. Dorsett called for General Ordinance No. 46 for second reading. It was read a second time.

Mr. Raub presented the following written motion to amend General Ordinance No. 46:

July 6, 1926.

*Mr. President:*

I move that General Ordinance No. 46, 1926, be amended by striking out the figures and words "\$100.00" in Paragraph B, Section 3, of said Ordinance and inserting in lieu thereof the figures and words "\$25.00."

EDW. B. RAUB.

Which was seconded by Mr. Springsteen.

Mr. Dorsett moved to table Mr. Raub's motion which was seconded by Mr. Bartholomew and passed by the following vote:

Ayes, 5, viz.: Messrs. Dorsett, Ferguson, Bartholomew, Todd and President Moore.

Noes, 4, viz.: Messrs. Albertson, Springsteen, Raub and Negley.

Mr. Dorsett presented the following motion to amend General Ordinance No. 46, which was seconded by Mr. Bartholomew:

July 6, 1926.

*Mr. President:*

I move that General Ordinance No. 46, 1926, amended by changing the figures 1,000 and 800 in Sections 1 and 2, to the figures 800 and 600, respectively.

WALTER R. DORSETT.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 46, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 46, as mended, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Negley, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

Noes, 3, viz.: Messrs. Albertson, Springsteen and Raub.

Mr. Bartholomew called for General Ordinance No. 45, for second reading. It was read a second time.

Mr. Raub presented the following motion to amend General Ordinance No. 45 which was seconded by Mr. Springsteen:

July 6, 1926.

*Mr. President:*

I move that General Ordinance No. 45, 1926, be amended at the end of Section 1, first changing the period to a semi-colon,

"provided, however, that no member of the Council except the Council's representative on the City Plan Commission shall be eligible to appointment.

EDWARD B. RAUB.

Mr. Bartholomew moved to table Mr. Raub's motion to amend General Ordinance No. 45 which was seconded by Mr. Dorsett.

After considerable discussion Mr. Bartholomew moved to reconsider his motion to table Mr. Raub's motion which was seconded by Mr. Albertson, and which was passed by a vote of eight ayes to one no, Mr. Dorsett voting no.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 45, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 45, as amended, was read a third time and passed by unanimous vote.

Mr. Raub called for Resolution No. 6 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, Resolution No. 6 was stricken from the files.

Mr. Albertson called for General Ordinance No. 42 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Dr. Todd, General Ordinance No. 42 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 42 was read a third time and passed by unanimous vote.

Mr. Albertson called for General Ordinance No. 43 for second reading. It was read a second time.

On motion of Mr. Robinson, seconded by Mr. Bartholomew, General Ordinance No. 43 was ordered

engrossed, read a third time and placed upon its passage.

General Ordinance No. 43 was read a third time and passed by unanimous vote.

Mr. Negley called for Resolution No. 9 for passage.

Mr. Raub moved to amend Resolution No. 9 by inserting the words "continue to" at the beginning of the fifth line of the fifth paragraph which was seconded by Mr. Springsteen.

Mr. Bartholomew moved to table Mr. Raub's motion which was seconded by Mr. Dorsett, which failed to pass by the following vote:

Ayes, 3, viz.: Messrs. Dorsett, Bartholomew and President Moore.

Noes, 6, viz.: Messrs. Albertson, Springsteen, Raub, Negley, Ferguson and Todd.

Mr. Raub's motion to amend Resolution No. 9 was passed by the following vote:

Ayes, 5, viz.: Messrs. Albertson, Springsteen, Raub, Negley and Ferguson.

Noes, 3, viz.: Messrs. Dorsett, Bartholomew and President Moore.

Not voting: Dr. Todd.

Mr. Bartholomew moved that Resolution No. 9 be stricken from the files, which was seconded by Mr. Dorsett, which failed to pass by the following vote:

Ayes, 4, viz.: Messrs. Springsteen, Bartholomew, Todd and President Moore.

Noes, 4, viz.: Messrs. Springsteen, Raub, Negley and Ferguson.

Not voting: Mr. Albertson.

On motion of Mr. Bartholomew, seconded by Mr.



Todd, the Common Council of the City of Indianapolis,  
Indiana, adjourned at 9:10 o'clock p. m.

*Baynton J. Moore*

President.

Attest:

*William A. Boyce, Jr.*

City Clerk.





## REGULAR MEETING

Monday, July 19, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, July 19, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore and seven members, viz.: Walter R. Dorsett, Otis E. Bartholomew, Claude E. Negley, Robert E. Springsteen, O. Ray Albertson, Millard W. Ferguson and Edward B. Raub.

Absent: Austin H. Todd.

The reading of the journal was dispensed with on motion of Mr. Albertson, seconded by Mr. Negley.

## COMMUNICATIONS FROM THE MAYOR

July 8, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 42, 1926. "An Ordinance transferring the sum of One Thousand (\$1000.00) Dollars from Municipal Garage, Services contractual, Account No. 25, Repairs, and reappropriating the same to Municipal Garage, Materials, Account No. 45, Repair Parts, in the Department of Public Works."

And General Ordinance No. 43, 1926. "An Ordinance, to transfer the sum of Three Hundred (\$300.00) Dollars from Fund No. 61, interest on Bonded Debt, Controller's Office, to be used for the general Memorial Association for the old soldiers of the Republic and for defraying expenses of Memorial Day."

J. L. DUVALL,

Mayor.

July 8, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 45, 1926. An Ordinance to amend General Ordinance No. 114, 1922,



and amendments (exclusive of maps) entitled: "An Ordinance dividing the City of Indianapolis into districts for the purposes of regulating and restricting the location of trades, callings, industries, commercial advertisings and location of buildings designed for specific uses, of classifying, regulating and determining the area, of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a Board of Zoning Appeal; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

And General Ordinance No. 46, 1926. An Ordinance to amend Sections B-105, B-204, and B-208, entitled "Indianapolis Building Code" of General Ordinance No. 121, 1925, being an ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation, with stated exceptions, repealing all former ordinances, which sections pertain to "concrete blocks," their quality, crushing strength, requirements for marking, approved by Building Commissioner, and fees.

J. L. DUVALL,  
Mayor.

#### REPORTS FROM CITY OFFICERS

July 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith copies of an ordinance authorizing the City Controller of the City of Indianapolis to make a temporary loan or loans of Seven Hundred Thousand (\$700,000.00) Dollars in anticipation of current revenues of said City actually levied and in course of collection for the fiscal year in which such loans or loans are made, and payable out of the current revenues of said City for the year of 1926.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. C. BUSER,  
City Controller.

July 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith a general ordinance transferring the sum of Five Hundred (\$500.00) Dollars from Account, 25, known as the Board of Works Buildings Account—Repairs, to Account No. 72, known as the Board of Public Works Account—Properties.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. C. BUSER,  
City Controller.

July 7, 1926.

*Mr. Wm. C. Buser, City Controller, City Hall,*

Dear Sir:—

It is the desire of the Board of Public Works, that you present an ordinance to the Common Council for passage, transferring from Public Buildings Account, No. 25, Repairs—and repappropriating the same to Public Buildings Account, No. 72—Equipment.

Yours truly,

WAYNE G. EMMELMAN,  
Clerk of Board of Public Works.

July 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith copies of an ordinance calling for the authorization of borrowing Eleven Thousand (\$11,000.00) Dollars in the form of bonds for the purpose of procuring money to be used in the construction of the bridge No. 814 known as the Bean Creek Bridge at Shelby Street in the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. C. BUSER,  
City Controller.

July 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—The City Plan Commission respectfully recommends that your Honorable Body act favorably on the accompanying ordinance, which deals with the change of property at 42nd and College Ave., from residential to business use.

Yours very truly,

CITY PLAN COMMISSION,  
MACKLIN MACK,  
Engineer.

## REPORTS OF STANDING COMMITTEES

Indianapolis, Ind., July 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 44, 1926, entitled Prohibition of Sign Boards, beg leave to report that we have had said ordinance under

consideration, and recommend that the same be stricken from the files.

OTIS E. BARTHOLOMEW  
EDWARD B. RAUB  
CLAUDE E. NEGLEY  
ROBT. E. SPRINGSTEEN.

Indianapolis, Ind., July 19, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 49, 1926, entitled to prohibit the use of any property within the City limits being used for private or public dumps, beg to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW  
EDWARD B. RAUB  
ROBT. E. SPRINGSTEEN  
CLAUDE E. NEGLEY.

#### INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

##### GENERAL ORDINANCE NO. 54, 1926.

AN ORDINANCE, authorizing the City Controller of the City of Indianapolis to make a temporary loan or loans of Seven Hundred Thousand (\$700,000.00) Dollars in anticipation of current revenues of such city actually levied and in course of collection for the fiscal year in which such loan or loans are made, and payable out of the current revenues of said city for the year 1926. Authorizing the rate of interest to be charged therefor, providing for legal notice, appropriating the sum of Seven Hundred and Twelve Thousand (\$712,000.00) Dollars for the payment of the same, and fixing a time when the same shall take effect.

WHEREAS the said city will be and continue to be until the 15th day of October, 1926, without sufficient funds to pay the salary payroll and other current expenses for municipal purposes, and the said current expenses and said payrolls for said period amount to at least Seven Hundred Thousand (\$700,000.00) Dollars, and

WHEREAS, the second semi-annual installment of taxes levied by the City of Indianapolis for its purposes for the year 1926, and collectible on or before the 1st day of November, 1926, will amount to more than Seven Hundred and Twelve Thousand (\$712,000.00) Dollars.

*Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller be and is hereby author-

ized and empowered to negotiate a temporary loan or loans in anticipation of the current revenues of said city actually levied and in course of collection for the fiscal year 1926, not exceeding the total sum of Seven Hundred Thousand (\$700,000.00) Dollars for a period not exceeding the periods set out in this ordinance, at a rate of interest not exceeding 6% per annum. The City Controller is further authorized and empowered to negotiate such loan or loans in such amounts and at such times as the City Controller may deem necessary, subject to the other provisions of this ordinance. After the publication of the notice of the determination herein made to issue bonds, warrants, or other evidence of indebtedness for such temporary loan or loans, and as provided in the ordinance, said loan or loans shall be let to the lowest bidder, at competitive bidding on the annual rate of interest under conditions prescribed in notice of the same, which shall be published for at least one day in at least one daily paper of said city. The Mayor, and City Controller are hereby authorized and directed to execute the proper obligations of the City of Indianapolis for the amount so borrowed and to the payment of such obligations, the faith of the city is hereby irrevocably pledged.

Section 2. The Mayor, City Controller and Corporation Counsel, are hereby authorized and directed to publish notices of the determination herein made to issue the bonds or other evidence of indebtedness for such temporary loan or loans, as required by law.

Section 3. That there be and is hereby appropriated out of the current revenues for the fiscal year 1926, to the Department of Finance, the sum of Seven Hundred and Twelve Thousand (\$712,000.00) Dollars and the same, is hereby pledged for the purposes of the payment of said loan or loans at such time as the same shall become due.

Section 4. Three Hundred and Fifty Thousand (\$350,000.00) Dollars of said sum appropriated shall be borrowed by said City on August 15, 1926, and shall run for a period not exceeding three months thereafter; Two Hundred and Fifty Thousand (\$250,000.00) Dollars of said sum appropriated shall be borrowed by said city on September 15, 1926, and shall run for a period not exceeding two months thereafter; that the sum of One Hundred Thousand (\$100,000.00) Dollars of said amount appropriated shall be borrowed by said city on October 15, 1926, and the obligations thereon shall run for a period not exceeding two months thereafter.

Section 5. THIS ORDINANCE shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman, Messrs. Negley, Dorsett, Bartholomew and Todd.

By the City Controller:

GENERAL ORDINANCE NO. 55, 1926.

AN ORDINANCE, transferring the sum of Five Hundred Dollars (\$500.00) from Account 25, known as the Board of Public



Works Buildings Account—Repairs, to Account 72, known as the Board of Public Works Buildings Account—Properties.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That the sum of Five Hundred Dollars (\$500.00) be and the same is hereby now transferred and reappropriated from Account 25, known as the Board of Public Works Buildings Account—Repairs, to Account 72, known as the Board of Public Works Buildings Account—Properties, in the Department of Public Works of the City of Indianapolis.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Controller:

GENERAL ORDINANCE NO. 56, 1926.

AN ORDINANCE, authorizing the borrowing of Eleven Thousand (\$11,000.00) Dollars and the sale of eleven (11) bonds of One Thousand (\$1000.00) Dollars each of the City of Indianapolis, Indiana, payable from the General Revenues and Funds of said City or from the Sinking Fund of said City or as may be required by law, for the purpose of procuring money to be used in constructing a Bridge No. 814 known as the Bean Creek Bridge at Shelby Street in the City of Indianapolis, Indiana, and providing for the time and manner of advertising the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale, and fixing a time when this ordinance shall take effect.

WHEREAS, heretofore to wit, on the 30th day of January, 1926, the County Council of Marion County, Indiana, adopted its Resolution for the construction of a Bridge No. 814, known as the Bean Creek Bridge at Shelby Street and presented to the Board of Public Works of the City of Indianapolis, Indiana, an estimate of the cost of said Bridge, amounting to Twenty-Two (\$22,000.00) Thousand Dollars, and

WHEREAS the Board of Public Works on the 9th day of July, 1926, passed a Resolution for the construction of a new Bridge No. 814, known as Bean Creek Bridge at Shelby Street, which Bridge the City Civil Engineer of the City of Indianapolis estimated would cost the sum of Twenty-Two Thousand (\$22,000.00) Dollars, and

WHEREAS the said Board of Public Works passed a Resolution that the new bridge at said location was a public necessity and a public utility, and authorized and instructed the City Attorney to prepare an issue of bonds in the sum of Eleven Thousand (\$11,000.00) Dollars to cover one-half of the cost of the erection of said Bridge, the other half to be paid by Marion County, and

WHEREAS it is deemed necessary and proper for the best interests

of the City of Indianapolis, Indiana, and the inhabitants thereof to proceed with the work provided for in said Resolution and Ordinance and

WHEREAS there is not now and will not be sufficient funds in the Treasury of the City of Indianapolis, Indiana, with which to meet the aforesaid expenditures for said public welfare, and it being necessary for the said City to borrow Eleven Thousand (\$11,000.00) Dollars in order to procure a fund to be devoted to the purposes set out in said Resolution and proposed Ordinance and to issue and sell its bonds in said amount payable from the General Revenues and Funds of said City or from the Sinking Fund of said City as may be required by law,

*Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller be and he is hereby authorizing for the purpose of procuring money to be used for the purpose of erecting said Bridge at Shelby Street, as set out in said Resolution and Ordinance, to prepare, issue and sell eleven (11) new bonds of the City of Indianapolis, Marion County, Indiana, of One Thousand (\$1000.00) Dollars each, which bonds shall bear date of September 1st, 1926, and shall be numbered from one (1) to eleven (11) both inclusive, and shall be designated 'Municipal Bridge Bonds of 1926' issue No. 2 and shall bear interest at the rate of four and one-half (4½%) per cent. per annum, payable semi-annually on the first day of January and the first day of July of each year of the period of said bonds. Two (2) of said bonds shall mature and be payable at the rate of Two Thousand (\$2000.00) Dollars each year for five years, beginning on the 1st day of January, 1929, and one (1) bond for One Thousand (\$1000.00) Dollars for one year beginning January 1st, 1934.

The first coupon attached to each bond shall be for the interest on said bond from the date of issue until the 1st day of July, 1927. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's Office of the City of Indianapolis, Indiana, at Indianapolis, Indiana; said bonds shall be signed by the Mayor and the City Controller of the City of Indianapolis and attested by the City Clerk, who shall affix the seal of said City to each of said bonds; and the interest coupons attached to said bonds shall be authenticated by a biographic fac-simile of the signatures of the Mayor and City Controller of said City engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof; said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller at the time of the issue and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with Bond No. 1, giving also the date of their issuance, their amount, date of maturity, rate of interest, and the time and place where said interest shall be payable. Said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No. -----

\$1000.00

## UNITED STATES OF AMERICA

## CITY OF INDIANAPOLIS

Marion County

State of Indiana

## MUNICIPAL BRIDGE BONDS OF 1926

## Issue No. 2

For value received the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer without any relief from valuation or appraisement laws on the ----- day of -----, 19--, at the City Treasurer's office of the City of Indianapolis, Indiana, One Thousand (\$1000.00) Dollars in lawful money of the United States of America, together with interest thereon, at the rate of four and one-half per cent. (4½%) per annum from date until paid.

The first interest payable on the first day of July, 1927, and the interest thereafter payable semi-annually on the first day of January and July, respectively, on the presentation and surrender of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of an issue of Eleven (11) bonds of One Thousand (\$1000.00) Dollars each, numbered from one (1) to eleven (11), both inclusive, of the date of the 1st day of September, 1926. Said bonds mature in series of two (2) bonds each year for five (5) years, beginning the 1st day of January, 1929, and one bond on the 1st day of January, 1934. The first interest coupons payable on the 1st day of July, 1927. These bonds are issued by said City of Indianapolis pursuant to an ordinance passed by the Common Council at the City of Indianapolis on the ----- day of -----, 1926, and an Act of the General Assembly of the State of Indiana entitled:

"An Act Concerning Municipal Corporations,"  
approved March 6, 1905,

and all acts amendatory thereof and supplemental thereto.

It is hereby certified that all conditions, acts and things essential to the validity of this bond, exist, have happened and have been done and that all the requirements of the law affecting the issuance thereof have been duly complied with and that this bond is within every debt and other limit prescribed by the Constitution and Laws of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment of this principal and interest of this bond according to its term.

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be

signed by the Mayor and City Controller, and attested by the City Clerk, and the corporate seal of said city to be affixed this as of the 1st day of September, 1926.

-----  
Mayor.

ATTEST:

-----  
City Clerk.

-----  
City Controller.

Section 2. The City Controller shall as soon as possible after the passage of this Ordinance advertise for bids or proposals for said bonds by at least one insertion each week for two weeks in two daily newspapers of general circulation printed and published in the City of Indianapolis and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisement shall describe said bond with such minuteness and particularity as the City Controller may see fit and shall set forth the amount of bonds to be sold and the rate of interest they may bear and the bidder may bid for all or any part of said bonds, the date of opening bids or proposals thereof, the right of the City Controller to reject any or all bids, the amount of deposit each bidder will be required to make and when and where the bonds shall be delivered and paid for.

Section 3. Each and every bid and proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified check upon some responsible bank of the City of Indianapolis, Indiana, payable to the order of the City Treasurer for a sum of money which shall equal two and one-half ( $2\frac{1}{2}\%$ ) per cent. of the face or par value of the bonds bid for or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller until 12 o'clock noon, on the day fixed by the City Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the said hour and 2 o'clock p. m. of said day, he shall open said bids or proposals. The City Controller shall award said bonds, or as he shall see fit, a part of any number thereof, to the highest and best bidder therefor, but said City Controller shall have the right to reject any and all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid and to award upon any bid the whole or a less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any kind. He may also in his judgement and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided.

Section 4. In case the City Controller shall reject all bids submitted, or if he shall award only a part of said bids, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix the date and the time both of receiving and opening bids or proposals, and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue



from time to time in like manner to readvertise said bonds for sale until said bonds are sold.

Section 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds thereon by the City Controller he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the City Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of contract for purchase of said bonds upon the part of the purchaser, and the city, in that event shall have the right to readvertise said bonds for sale at once, and shall, in such event, retain said check and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract, and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase price of the bonds so awarded and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered, and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use, but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon said proceeds of said certified check shall thereupon be returned to such bidder, or at the option of the City Controller at the time of the completion of the sale and payment for the bonds said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Section 6. Delivery of any bonds sold shall be made at the office of the City Treasurer of the City of Indianapolis, Indiana, upon such day or days as may be specified in the advertisement or readvertisement for proposals or within such time thereafter as may be fixed by the City Controller, or at such time or times as may be agreed upon by the City Controller and the purchaser or purchasers and the City Controller may extend the time for such delivery not more than ten (10) days after the day or days specified or agreed upon as above provided, and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and times and his or her refusal, neglect or omission to do so shall be a breach of the contract of his bid or proposal on account of which damages shall be retained or recovered as liquidated as provided in this ordinance.

Section 7. The bonds taken and paid for to the satisfaction of the City Controller shall be binding obligations upon the City of Indianapolis, according to their tenor and effect, and the proceeds derived from the sale or sales of bonds as herein authorized shall be

and hereby are appropriated to the Department of Public Works for the construction of a Bridge No. 814, known as the Bean Creek Bridge at Shelby Street in said City and shall constitute and continue appropriations until the completion of said work.

Section 8. The Mayor, the City Controller and the Corporation Counsel are hereby authorized and directed to publish notices of the herein determination to issue bonds as required by law.

Section 9. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on Finance.

By Mr. Dorsett:

GENERAL ORDINANCE NO. 57, 1926.

AN ORDINANCE to amend General Ordinance No. 114, 1922, entitled: "An ordinance dividing the city of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designated for specified uses; of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That the U3 or business district, the H1 or 50-foot height district, and the A3 or 2400 square foot area district as established by General Ordinance No. 114, 1922, be and the same are hereby amended, supplemented and changed so as to include the following territory:

Beginning at a point on the west property line of College Ave., said point being 280 ft. north of the north property line of 42nd St. thence north 100 ft.; thence west to the east property line of the first alley west of College Ave.; thence south with the said alley a distance of 101.94 ft.; thence east to the point or place of beginning.

Section 2. This ordinance shall go into immediate effect upon its passage and publication according to law.

Which was read a first time and referred to the Committee on Public Works.

By Mr. Bartholomew:

*start*

GENERAL ORDINANCE NO. 58, 1926.

AN ORDINANCE concerning the installation, maintenance and operation by the Indianapolis Union Railway Company, at the inter-

section of its railroad tracks with certain streets and avenues in the City of Indianapolis, of safety gates, signal bells, silent policemen, and flagmen, repealing all ordinances in conflict therewith and declaring a time when this ordinance shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. The Indianapolis Union Railway Company shall install, maintain and operate safety gates at the intersection of the railroad tracks owned or operated by said company with each of the following streets or avenues, viz: Meridian Street, Shelby Street, Morris Street, Bluff Avenue, East Street, Dearborn Street and Martindale Avenue, which gates shall be operated twenty-four hours per day every day in the year.

Section 2. Said Company shall maintain a flagman at the intersection of its said tracks with each of the following streets or avenues, viz: West Eighteenth Street, West Washington Street, Harding Street, Kentucky Avenue, Roosevelt Avenue, Bethel Avenue, West Michigan Street, Oliver Avenue, Madison Avenue, State Street and Churchman Avenue, which flagman shall be on duty twenty-four hours per day, each day in the year.

Section 3. Said Company shall maintain a flagman at the intersection of its said tracks with each of the following streets or avenues, viz: Market Street, Ray Street, Singleton Street and Barth Avenue, which flagmen shall be on duty from 6:00 o'clock a. m. until 9:00 o'clock p. m. every day in the year.

Section 4. Said Company shall maintain a flagman at the intersection of its said tracks with each of the following streets or avenues, viz: Draper Street, Keystone Avenue, Columbia Avenue and Yandes Street, which flagmen shall be on duty from 6:00 o'clock a. m. until 7:00 o'clock p. m. each day in the year.

Section 5. Said Company shall install, maintain and operate signal bells at the intersection of its railroad tracks with each of the following streets or avenues, viz: West Twenty-third Street, Burdsal Parkway (East Drive), West Twenty-second Street, West Twenty-first Street, Indiana Avenue, Speedway Avenue, White River Parkway (West Drive), West Tenth Street, West St. Clair Street, West Vermont Street, West New York Street, Aster Street, Minnesota Street, East Sixteenth Street, East Twenty-first Street, Avondale Place, Gale Street, Olney Street, Adams Street, Rural Street, Eastern Avenue, Temple Avenue, Fountain Street, Winter Avenue, Jefferson Street, Greenbriar Lane and Sheldon Street, which bells shall be operated twenty-four hours per day each day in the year.

Section 6. With the approval of the Board of Public Safety of the City of Indianapolis, said Indianapolis Union Railway Company may install, maintain and operate, at the intersection of its said railroad tracks with any of the streets or avenues above named, light signals, commonly known as "silent policemen," operated manually or automatically as said Board of Public Safety shall require, in lieu of and as a substitute for the safety gates, flagmen or signal bells, as the case may be, required by the foregoing sections of this ordinance; and whenever said Company shall, with such approval of the Board of Public Safety, install, maintain and operate such light signals at any of the intersections of its said tracks with any of the



streets or avenues above described, such light signals shall be in all respects a compliance with the provisions of this Ordinance. In every case when such approval is given by the Board of Public Safety, it shall be upon the condition that such light signals shall be maintained and operated during the same hours of the day, each day of the year, as the said safety gates, flagmen or signal bells, as the case may be, in lieu of which said light signals are installed, maintained and operated, are required by the foregoing Sections of this ordinance to be installed, maintained and operated.

*out* Section 7. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

*out* Section 8. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

Which was read a first time and referred to the Committee on Public Safety.

#### CALL FOR ORDINANCES ON SECOND READING

Mr. Bartholomew called for General Ordinance No. 49, 1926 for second reading. It was read a second time.

On motion of Mr. Raub, seconded by Mr. Negley, Section 6 of General Ordinance No. 49, 1926 was stricken from the Ordinance.

Mr. Raub presented the following written motion to amend General Ordinance No. 49, 1926:

Indianapolis, Ind.

*Mr. President:*

I move that General Ordinance No. 49, 1926, be amended as follows: by inserting the words "or deposit" after the word dump in line 2 section one of said ordinance and the words "or deposited" be inserted after the word "dumped" in line 2 of said section one.

EDWARD B. RAUB.

The above motion was seconded by Mr. Bartholomew and passed unanimously by the Council.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 49, as amended, was ordered engrossed, read a third time and placed on its passage.

General Ordinance No. 49 was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Springsteen, Raub, Negley, Dorsett, Ferguson, Bartholomew and President Moore.



Noes, 1, viz.: Mr. Albertson.

Mr. Bartholomew called for General Ordinance No. 44 for second reading. It was read a second time.

On motion of Mr. Raub, seconded by Mr. Bartholomew, General Ordinance No. 44 was ordered stricken from the files.

Mr. Raub asked for further time on General Ordinance No. 48. Which was granted.

On motion of Mr. Negley, seconded by Mr. Raub, Resolution No. 9, was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 9 was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Springsteen, Raub, Negley, Dorsett, Ferguson, Bartholomew and President Moore.

Noes, 1, viz.: Mr. Albertson.

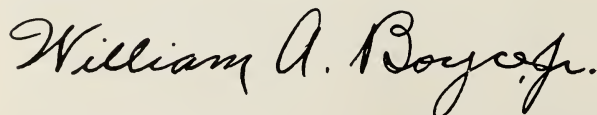
Before the result of the vote was announced by the Clerk, Mr. Albertson changed his vote from no to aye.

A general discussion was had at this time in regard to the disposal of the Gasoline Tax fund.

On motion of Mr. Dorsett, seconded by Mr. Albertson, the Common Council of the City of Indianapolis, Indiana, adjourned at 8:45 o'clock p. m.

  
President.

Attest:

  
City Clerk.





## REGULAR MEETING

Monday, August 2, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, August 2, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore and seven members, viz.: Walter R. Dorsett, Otis E. Bartholomew, Claude E. Negley, Robert E. Springsteen, O. Ray Albertson, Austin H. Todd and Millard W. Ferguson.

Absent: Edward B. Raub.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Dr. Todd.

## COMMUNICATIONS FROM THE MAYOR

July 24, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, Resolution No. 9, 1926.

WHEREAS, the established and customary means of transportation by City Street Car Service within our City Limits has been disarranged, impaired and curtailed by reason of the failure of the management of the Indianapolis Street Railway and its employees to reach an amicable and mutually satisfactory settlement of the difference that have arisen between them.

Respectfully yours,  
JOHN L. DUVALL,  
Mayor.

July 24, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivery to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 49, 1926.

An Ordinance, to prohibit the use of any property within the corporate limits of the City of Indianapolis as a public or private dumps, for inflammable materials, declaring the same a fire hazzard,



fixing a penalty for the violation of the same, defining inflammable material, declaring an emergency and fixing a time when the same shall take effect.

Respectfully yours,

JOHN L. DUVAL,  
Mayor.

#### COMMUNICATIONS FROM CITY OFFICERS

August 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith a general ordinance transferring the sum of Fifty (50.00) Dollars from Fund No. 61, known as Interest on Bonded Debt, in the Controllers Office to Fund No. 25, Repair to Equipment in the Controller's Office.

I respectfully recommed the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

August 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requested by the Clerk of the Board of Public Works to hand you a general ordinance transferring the sum of Ten Thousand (\$10,000.00) Dollars to the Srteet Cleaning Fund No. 127, Panners Broomers. and Laborers Division from various funds in the Board of Public Works as listed in the ordinance.

I respectfully recommed the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

July 31, 1926.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.*

Dear Sir—Pursuant to the request of the Welfare Committee of the Indianapolis City Council, the Health Department herewith submits the tabulated results of its annual servey and liming campaign of Pleasant Run.

It is a difficult matter to ascertain the manufacturers and corporations, together with septic tanks and owners of household drains that empty into Pleasant Run. Probably one of the greatest offenders in bringing about the pollution of this stream is the city itself in permitting sewage and overflows to empty into this stream.

In my opinion this condition of pollution in Pleasant Run will never be remedied until an interceptor is constructed along the banks of this stream to take care of the sewage of the Irvington district and other properties adjacent to Pleasant Run.

It is my understanding that the Park Board and the Board of Works are now making plans to construct this much needed interceptor. I do not feel that we can stop up the drains and sewers that

are emptying into Pleasant Run at the present time for if we do this it would mean that the sewage would back up into basements and into the homes of people along the stream. This would be far more detrimental than to permit the sewage to get out into Pleasant Run.

The Health Department, as has been the practice in the past, is prepared to line the cess pools now in existence. This is merely a temporary measure and will help keep down the bad odor from the sewage and pollution to some extent.

Attached hereto is a list of the household drains and septic tanks which empty into this sewer.

Respectfully submitted,

H. B. MORGAN.

#### PLEASANT RUN INSPECTIONS—PRIVATE AND PUBLIC SEWERS

East Michigan and Pleasant Run Blvd.—west side of creekwash water—(could not find owner).

5221 Pleasant Run Blvd.—open sewer—Schroder—Pathe News.

5300 Pleasant Run Blvd.—open sewer—could not find owner.

Pleasant Run and Bolton Avenue—open sewer—under bridge—private—very bad.

Kenmore Road and Pleasant Run—street sewer emptying into creek—bad.

South Sherman Drive and Pleasant Run—sewer emptying into creek—colored water.

South Colorado and Pleasant Run—sewer emptying into creek about 5 gallons water per minute.

South Euclid and Pleasant Run—manholes—water runs west to above sewer opening.

Pleasant Run and Pleasant Run septic tank—very bad.

1426 Marlowe—ordered cellar cleaned—Nell Stiles.

Comfort station—complaint about water not verified.

Pleasant Run and LaGrande—city sewer emptying into creek—very bad.

Pleasant Run and Raymond—city sewer emptying into creek—very bad.

#### REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., August 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 55, 1926, Board of Works Transfers \$500.00, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD  
WALTER R. DORSETT  
CLAUDE E. NEGLEY

Indianapolis, Ind., August 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 52, 1926, Transfer \$2500.00 in Police Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON  
AUSTIN H. TODD  
WALTER R. DORSETT  
OTIS E. BARTHOLOMEW  
CLAUDE E. NEGLEY

Indianapolis, Ind., August 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 56, 1926, \$11,000.00 Bond Issue for Bean Creek Bridge, beg leave to report that we have had said ordinance under consideration, and recommend that more time be granted to Committee.

O. RAY ALBERTSON  
WALTER R. DORSETT  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD  
CLAUDE E. NEGLEY

Indianapolis, Ind., August 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee to whom was referred General Ordinance No. 51, 1926, Board of Health \$125,000 Loan, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

M. W. FERGUSON  
WALTER R. DORSETT  
AUSTIN H. TODD  
CLAUDE E. NEGLEY  
OTIS E. BARTHOLOMEW

Indianapolis, Ind., August 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Board of Works, to whom was referred General Ordinance No. 57, 1926, Extending Business District North on College Avenue, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WALTER R. DORSETT  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD  
CLAUDE E. NEGLEY  
O. RAY ALBERTSON

## INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

## GENERAL ORDINANCE NO. 59, 1926.

AN ORDINANCE, transferring the sum of Fifty (\$50.00) Dollars from Fund No. 61, known as Interest on Bonded Debt, in the Controller's Office to Fund No. 25, Repair to Equipment in the Controller's Office.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That the sum of Fifty (\$50.00) Dollars be and the same is hereby now transferred and reappropriated from Fund No. 61, Interest on Bonded Debt, in the Controller's Office to Fund No. 25, Repair to Equipment in the Controller's Office.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Controller:

## GENERAL ORDINANCE NO. 60, 1926.

AN ORDINANCE, transferring the sum of Ten Thousand Dollars (\$10,000.00) to the Street Cleaning Fund No. 127, Panners Broomers, and Laborers Division from the Funds as follows:— The sum of Four Thousand Dollars (\$4,000.00) thereof from Fund No. 127, Street Cleaning Department, Teamsters; the sum of One Thousand (\$1,000.00) Dollars from Fund No. 127 Street Cleaning Department, Helpers; the sum of Five Hundred Dollars (\$500.00) thereof from Fund No. 127, Street Cleaning, Light Trucks; the sum of Five Hundred Dollars (\$500.00) thereof from Fund No. 127, Street Cleaning Department, Stablemen; the sum of Four Thousand Dollars (\$4,000.00) thereof from Fund No. 71, Properties Department; all in the Street Commissioners Department of the Board of Public Works.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That the sum of Ten Thousand Dollars (\$10,000.00) be and the same is hereby now transferred and reappropriated to the Street Cleaning Fund No. 127, Panners, Broomers and Laborers Division from the Funds as follows: The sum of Four Thousand Dollars (\$4,000.00) thereof from Fund No. 127, Street Cleaning Department, Teamsters; the sum of One Thousand Dollars (\$1,000.00) thereof from Fund No. 127, Street Cleaning Department, Helpers; the sum of Five Hundred Dollars (\$500.00) thereof from Fund No. 127, Street Cleaning Department, Light Trucks; the sum of Five Hundred Dollars (\$500.00) thereof from Fund 127, Street Cleaning, Stablemen; the sum of Four Thousand Dollars (\$4,000.00) thereof



from Fund No. 71, Properties Department; all in the Street Commissioners Department of the Board of Public Works.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Negley, Dorsett, Bartholomew and Todd.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS

Mr. Bartholomew presented the following written motion which was seconded by Mr. Dorsett:

Indianapolis, Ind., August 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

*Mr. President:*

I make a motion that the following paragraph in the rules and regulations governing the Common Council be annulled.

Page 16, "Committees."

"All appropriation ordinances and ordinances for the purpose of raising revenues shall be referred to said Committee on Finance."

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Common Council at 8:15 o'clock recessed for ten minutes to consider above motion.

At 8:22 o'clock the President called the Council to order. The same members were present as before.

The Committee on Law and Judiciary presented the following report:

Indianapolis, Ind., August 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Law and Judiciary, to whom was referred Motion to annul Paragraph in Rules and Regulations as follows: "All appropriation ordinances and ordinances for the purpose of raising revenues shall be referred to said Committee on Finance," beg leave to report that we have had said motion under consideration, and recommend that the same be passed.

AUSTIN H. TODD  
OTIS E. BARTHOLOMEW  
CLAUDE E. NEGLEY.

The above motion was passed by the following vote:

Ayes, 6, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Negley, Todd and President Moore.

Noes, 2, viz.: Messrs. Albertson and Springsteen.

#### ORDINANCES ON SECOND READING

Mr. Dorsett called for General Ordinance No. 57 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Dorsett, General Ordinance No. 57 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 57 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General ordinance No. 52 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 52 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 52 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 51 for second reading. It was read a second time.

Mr. Dorsett presented the following written motion to amend General Ordinance No. 51 which was passed by unanimous vote:

Indianapolis, Ind., August 2, 1926.

*Mr. President:*

I move that General Ordinance No. 51, 1926, be amended to read as follows:

Section, One—Line 19—afterward “to-wit”—August Tenth, instead of August First.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 51, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 51 was read a third time and passed by unanimuos vote.

- Mr. Bartholomew called for General Ordinance No. 55 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr Bartholomew, General Ordinance No. 55 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 55 was read a third time and passed by unanimous vote.

President Moore announced that there would be a special meeting of the Council Wednesday, August 4, 1926, at 2:00 o'clock in the Council Chamber to consider General Ordinances Nos. 59 and 60.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Common Council of the City of Indianapolis, Indiana, adjourned at 8:40 o'clock p. m.

*Baynton J. Moore*

President..

Attest:

*William A. Boyce Jr.*

City Clerk. c

## SPECIAL MEETING

Wednesday, August 4, 1926, 2:00 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, August 4, 1926, at 2:00 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

August 3, 1926.

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Wednesday, August 4, 1926 at 2:00 o'clock p. m., the purpose of such meeting being to consider General Ordinances Nos. 59 and 60.

Respectfully,

BOYNTON J. MOORE.

I, Wm. A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WM. A. BOYCE, Jr.,

City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President and four members, viz.: O. Ray Albertson, Robert E. Springsteen, Austin H. Todd and Otis E. Bartholomew.

Absent: Edward B. Raub, Millard W. Ferguson, Walter R. Dorsett and Claude E. Negley.

## REPORTS FROM COMMITTEES

August 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 59, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD.

August 4, 1926.



*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee to whom was referred General Ordinance No. 60, 1926, entitled, Transferring the sum of \$10,000.00 to the Street Cleaning Fund No. 127, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

M. W. FERGUSON, Chairman.

OTIS E. BARTHOLOMEW

AUSTIN H. TODD.

#### ORDINANCES ON SECOND READING

Mr. Bartholomew called for General Ordinance No. 59 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Bartholomew, General Ordinance No. 59 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 59 was read a third time and passed by unanimous vote.

Dr. Todd called for General Ordinance No. 60 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 60 was ordered engrossed, read a third time and placed upon its passage.

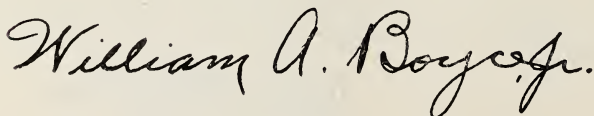
General Ordinance No. 60 was read a third time and passed by unanimous vote.

The Common Council of the City of Indianapolis, Indiana adjourned at 2:50 o'clock p. m.



President.

Attest:



City Clerk.

## SPECIAL MEETING

Saturday, August 7, 1926, 2:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber, Saturday, August 7, 1926, at 2:30 p. m., in Special Session, President Boynton J. Moore in the Chair, pursuant to the following call:

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Saturday, August 7, 1926, at 1:30 p. m., the purpose of such meeting being to receive communications from the Mayor or City Controller of said City and for the consideration of General Ordinance No. 54, \$700,000 Loan and Resolutions affecting the Gas Tax Fund.

Respectfully,

BOYNTON J. MOORE.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WM. A. BOYCE, Jr.

City Clerk

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and six members, viz.: O. Ray Albertson, Otis E. Bartholomew, Millard W. Ferguson, Claude E. Negley, Robert E. Springsteen, Austin H. Todd.

Absent: Walter R. Dorsett, Edw. B. Raub.

## REPORTS FROM COMMITTEES

*To Hon. Boynton J. Moore, President of the Common Council of the City Indianapolis.*

Gentlemen—We, your Special Committee to whom was referred General Ordinance No. 54, 1926 beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed when amended to read \$350,000.

M. W. FERGUSON

AUSTIN H. TODD

OTIS E. BARTHOLOMEW

C. E. NEGLEY

Mr. Bartholomew called for General Ordinance No. 54 for second reading. It was read a second time. Mr. Bartholomew presented the following written motion to amend General Ordinance No. 54:

*Mr. President:*

I move that General Ordinance No. 54, 1926, be amended by striking out Section four in its entirety and the words and figures "Seven Hundred Thousand" and "Seven Hundred Twelve Thousand" wherever they appear in said ordinance and inserting in lieu thereof the following: "Three Hundred Fifty Thousand" and "Three Hundred Fifty-six Thousand" respectively.

OTIS E. BARTHOLOMEW.

Councilman.

Motion seconded by Dr. Todd, which, when put to a vote by President Moore, was unanimously adopted.

On motion of Dr. Todd, seconded by Mr. Ferguson, General Ordinance No. 54, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 54, as amended, was read a third time and passed by unanimous vote of the members present.

Mr. Bartholomew called for Resolution No. 7 for second reading. It was read a second time. On motion of Mr. Bartholomew, seconded by Mr. Negley, Resolution No. 7 was ordered stricken from the files. President Moore appointed a Special Committee to consider the Gasoline Tax Fund situation, consisting of Mr. Bartholomew, Chairman, and Messrs. Ferguson, Albertson, Springsteen and Dr. Todd.

On motion of Mr. Bartholomew, seconded by Mr. Ferguson, the Common Council recessed for ten minutes to consider the Gasoline Tax Fund.

The Common Council reconvened at 3:10 p. m. with the same members present as before.

Mr. Bartholomew, as Chairman of the Special Committee appointed to consider the matter, presented the following Resolution:

## RESOLUTION NO. 11, 1926.

WHEREAS, the General Assembly of the State of Indiana, Acts of 1925, page 367, enacted a general law, amending Sections 1 and 6 of the Act of 1923, providing a tax on gasoline; and

WHEREAS, Section 2 of said amendment allots a certain portion of said funds to cities and towns, to be used to maintain and repair streets or bridges; and

WHEREAS, it is the opinion of the Common Council of the City of Indianapolis, that a large number of the streets and avenues of the City of Indianapolis are in urgent need of repairs and maintenance, NOW THEREFORE,

*Be It Resolved By the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Eighty Thousand Five-Hundred and Twenty-five (\$80,525.00) Dollars now in the City Treasury as a portion of the Gasoline Tax Fund allotted to the City of Indianapolis by the State of Indiana, be and the same is hereby turned over to the Department of the City Civil Engineer to be used by said Department in repairing the streets and avenues as set forth in this Resolution.

Section 2. That the City Comptroller be and he is hereby directed to turn over to the Department of the City Civil Engineer the sum of Eighty Thousand Five Hundred and Twenty-five (\$80,525.00) Dollars out of the Gasoline Tax Fund allotted to the City of Indianapolis by the State of Indiana and now in the City Treasury for the purposes set out in this Resolution.

Section 3. That the Department of the City Civil Engineer immediately upon the taking effect of this Resolution shall proceed forthwith to make needed repairs to the following named Streets and Avenues in the City of Indianapolis in accordance with the estimate set opposite each street name as supplied to the Common Council by the City Civil Engineer, to-wit:

Name of Street	Estimated	
	Labor	Material
South Meridian Street -----	\$ 900.00	\$ 3,000.00
Maryland Street -----	150.00	350.00
Georgia Street -----	100.00	350.00
Louisiana Street -----	50.00	150.00
McCrea Street -----	50.00	150.00
South Street -----	125.00	375.00
Merrill Street -----	150.00	450.00
Russell Avenue -----	50.00	150.00
McCarty Street -----	200.00	500.00
Ray Street -----	50.00	150.00
Morris Street -----	600.00	1,800.00
Bluff Avenue -----	30.00	50.00
Raymond Street -----	150.00	250.00
Harding Street -----	200.00	300.00
Kentucky Avenue -----	600.00	1,500.00
Belmont Avenue -----	200.00	300.00



East Washington Street	350.00	1,950.00
Oliver Avenue	95.00	350.00
Division Street	40.00	150.00
West Street	750.00	4,000.00
Senate Avenue	325.00	950.00
North Illinois Street	575.00	2,150.00
North Pennsylvania Street	375.00	1,125.00
Delaware Street	450.00	1,275.00
Madison Avenue	200.00	575.00
Union Street	90.00	260.00
Minnesota Street	75.00	125.00
South East Street	650.00	1,950.00
Prospect Street	60.00	150.00
Huchanan Street	75.00	225.00
Noble Street	100.00	175.00
Shelby Street	30.00	125.00
Churchman Avenue	40.00	125.00
Fletcher Avenue	50.00	75.00
English Avenue	50.00	50.00
Southeastern Avenue	200.00	750.00
Rural Street	325.00	940.00
Sherman Drive	350.00	525.00
Emerson Avenue	150.00	325.00
Audubon Road	75.00	200.00
Arlington Avenue	30.00	75.00
East Michigan Street	750.00	2,000.00
New York Street	500.00	1,900.00
East Tenth Street	450.00	1,050.00
Olney Street	25.00	150.00
Tuxedo Street	25.00	150.00
LaSalle Street	125.00	375.00
Eastern Avenue	50.00	175.00
Keystone Avenue	225.00	700.00
Cornell Avenue	75.00	150.00
Bellefontaine Street	250.00	675.00
Ashland Avenue	225.00	725.00
College Avenue	250.00	750.00
Park Avenue	150.00	475.00
Broadway	200.00	675.00
Ruckle Street	150.00	425.00
Central Avenue	350.00	1,000.00
New Jersey Street	300.00	975.00
Alabama Street	125.00	450.00
Talbott Avenue	150.00	525.00
Market Street	175.00	600.00
Ohio Street	150.00	450.00
Vermont Street	75.00	200.00
North Street	150.00	425.00
Walnut Street	75.00	200.00
St. Clair Street	75.00	200.00
Pratt Street	150.00	475.00
St. Josphe Street	100.00	225.00
Eleventh Street	200.00	400.00
Twelfth Street	75.00	200.00
Thirteenth Street	75.00	200.00

Sixteenth Street -----	325.00	1,150.00
Massachusetts Avenue -----	575.00	1,625.00
Roosevelt Avenue -----	350.00	725.00
25th Street -----	200.00	700.00
22nd Street -----	100.00	325.00
23rd Street -----	75.00	200.00
West 30th Street -----	500.00	1,150.00
Gale Street -----	75.00	235.00
Hillside Avenue -----	150.00	425.00
Martindale Avenue -----	100.00	125.00
Columbia Avenue -----	150.00	475.00
Washington Blvd. -----	175.00	450.00
32nd Street -----	125.00	350.00
34th Street -----	75.00	200.00
36th Street -----	75.00	200.00
40th Street -----	75.00	200.00
42nd Street -----	75.00	200.00
63rd Street -----	115.00	345.00
Ft. Wayne Avenue -----	50.00	150.00
Pine Street -----	90.00	195.00
Highland Avenue -----	75.00	215.00
State Street -----	75.00	210.00
Kenwood Avenue -----	250.00	750.00
Boulevard Place -----	165.00	480.00
Northwestern Avenue -----	250.00	800.00
Clifton Street -----	50.00	150.00
Congress Avenue -----	75.00	215.00
28th Street -----	50.00	155.00
26th Street -----	65.00	195.00
Highland Place -----	125.00	415.00
Indiana Avenue -----	225.00	650.00
Blake Street -----	125.00	375.00
King Avenue -----	75.00	200.00
Washington Avenue -----	50.00	75.00
21st Street -----	275.00	715.00
	<hr/>	<hr/>
	\$20,175.00	\$60,350.00

Section 4. This Resolution shall be in full force and effect from and after its passage and signing by the Mayor.

OTIS E. BARTHOLOMEW.

Which was read.

On motion of Mr. Bartholomew, seconded by Dr. Todd, Resolution No. 11, 1926, was adopted by the following roll call vote:

Ayes, 6, viz.: Albertson, Bartholomew, Negley, Springsteen, Todd and President Moore.

Noes, 1, viz.: Ferguson.

At 3:20 p. m., Saturday, August 7, 1926, the Common Council of the City of Indianapolis, Indiana, adjourned.

*Boydton J. Moore*

President.

Attest:

*William A. Boyce, Jr.*

City Clerk. c

## REGULAR MEETING

Monday, August 16, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, August 16, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore and eight members, viz.: Walter R. Dorsett, Otis E. Bartholomew, Claude E. Negley, Robert E. Springsteen, O. Ray Albertson, Mil-lard W. Ferguson, Edward B. Raub and Austin H. Todd.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Dr. Todd.

## COMMUNICATIONS FROM THE MAYOR

August 3, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinances Nos. 51, 52, 55, and 57.

Yours very truly,

JOHN L. DUVALL,

Mayor.

August 5, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinances Nos. 59 and 60.

Yours very truly,

JOHN L. DUVALL,

Mayor.

August 9, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to William A. Boyce, Jr., City Clerk, General Ordinance No. 54, as amended, and Resolution No. 11, 1926.

Yours very truly,

JOHN L. DUVALL,

Mayor.



## REPORTS FROM CITY OFFICERS

August 16, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I am handing you herewith a General Ordinance authorizing the City Controller of the City of Indianapolis to make a temporary loan or loans of Three Hundred and Fifty Thousand (\$350,000.00) Dollars, in anticipation of current revenues of such city actually levied and in course of collection for the fiscal year in which such loan or loans are made, and payable out of the current revenues of said City for the year 1926.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

August 16, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Attached hereto are 13 copies of an Ordinance to amend General Ordinance No. 114, 1922, better known as the "Zoning Ordinance," by changing the south east and north east corners of 46th St. and College Ave., form a residential district to a business district.

The City Plan Commission respectfully recommends that your Honorable Body take favorable action on this ordinance.

Very truly yours,

CITY PLAN COMMISSION,  
MACKLIN MACK,  
Engineer.

## INTRODUCTION OF APPROPRIATION ORDINANCES

By Mr. Bartholomew:

## APPROPRIATION ORDINANCE NO. 1, 1926

AN ORDINANCE, appropriating the sum of Twenty-Six Thousand and Eighty-Seven Dollars and Sixteen Cents (\$26,087.16) to the Department of Public Works of the City of Indianapolis, out of the gasoline tax fund for the purposes of repairing certain bridges hereinafter specified and fixing a time when the same shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That the sum of Twenty-Six Thousand and Eighty-Seven Dollars and Sixteen Cents (\$26,087.16) is hereby appropriated to the Department of the Street Commissioner in the Department of Public Works of the City of Indianapolis to be used by said Department in repairing the bridges as set forth in this ordinance, and for the respective amounts set opposite the several items.

Section 2. That the Department of the Street Commissioner

immediately upon taking effect of this ordinance shall proceed to make needed repairs on the following named bridges in the City of Indianapolis:

West 10th St. River Bridge	\$7,299.16
Harding St. River Bridge	8,055.00
Raymond St. River Bridge	1,500.00
Fall Creek and 21st St. Bridge	583.00
Canal and 25th St. Bridge	1,500.00
Cottage Ave. and Pleasant Run Bridge	500.00
S. Meridian St. and Pleasant Run Bridge	800.00
W. Michigan St. Eagle Creek Bridge	250.00
Pleasant Run and Beecher St. Bridge	300.00
Pleasant Run and Barth Avenue Bridge	200.00
Pleasant Run and Shelby St. Bridge	400.00
Pleasant Run and Minnesota St. Bridge	200.00
Pleasant Run and Spruce Bridge	300.00
Pleasant Run and Prospect St. Bridge	300.00
Pleasant Run and Bolton Bridge	200.00
Plaesant Run and Ritter Ave. Bridge	200.00
New York St. River Bridge	2,000.00
Kentucky Avenue and Missouri St. Bridge	1,500.00

Section 3. Any enactment, ordinance or resolution contrary to the provisions of this ordinance is hereby repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By Mr. Bartholomew:

#### APPROPRIATION ORDINANCE NO. 2, 1926

AN ORDINANCE, appropriating the sum of Eighty Thousand Five Hundred and Twenty-Five (\$80,525.00) Dollars to the Department of the City Civil Engineer in the Department of Public Works of the City of Indianapolis, out of the gasoline tax fund for the purposes of repairing certain streets hereinafter specified and fixing a time when the same shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That the sum of Eighty Thousand Five Hundred and Twenty-Five (\$80,525.00) Dollars is hereby appropriated to the Department of Public Works of the City of Indianapolis to be used by said Department in repairing the streets and avenues as set forth in this ordinance and for the amounts as set opposite the respective items.

That the Department of the City Civil Engineer immediately upon taking effect of this ordinance shall proceed to make needed repairs on the following named streets and avenues in the City of Indianapolis:

Name of Street	Estimated	
	Labor	Material
South Meridian St. _____	\$900.00	\$3,000.00
Maryland St. _____	150.00	350.00

Georgia St. -----	100.00	350.00
Louisiana St. -----	50.00	150.00
McCrea St. -----	50.00	150.00
South St. -----	125.00	375.00
Merrill St. -----	150.00	450.00
Russell Avenue -----	50.00	150.00
McCarty St. -----	200.00	500.00
Ray St. -----	50.00	250.00
Morris St. -----	600.00	1,800.00
Bluff Avenue -----	30.00	50.00
Raymond St. -----	150.00	250.00
Harding St. -----	200.00	300.00
Kentucky Avenue -----	600.00	1,500.00
Belmont Avenue -----	200.00	300.00
Sixteenth St. -----	325.00	1,150.00
Massachusetts Avenue -----	575.00	1,625.00
Roosevelt Avenue -----	350.00	725.00
25th Street -----	200.00	700.00
22nd Street -----	100.00	325.00
23rd Street -----	75.00	200.00
West 30th Street -----	500.00	1,150.00
Gale Street -----	75.00	235.00
Hillside Avenue -----	150.00	425.00
Martindale Avenue -----	100.00	125.00
Columbia Avenue -----	150.00	475.00
Washington Blvd. -----	175.00	450.00
32nd Street -----	125.00	350.00
34th Street -----	75.00	200.00
36th Street -----	75.00	200.00
40th Street -----	75.00	200.00
42nd Street -----	75.00	200.00
63rd Street -----	115.00	345.00
Ft. Wayne Avenue -----	50.00	150.00
Pine Street -----	90.00	195.00
Highland Avenue -----	75.00	215.00
State Street -----	75.00	210.00
Kenwood Avenue -----	250.00	750.00
Boulevard Place -----	165.00	480.00
Northwestern Avenue -----	250.00	800.00
Clifton Street -----	50.00	150.00
Congress Avenue -----	75.00	215.00
28th Street -----	50.00	155.00
26th Street -----	65.00	195.00
Highland Place -----	125.00	415.00
Indiana Avenue -----	225.00	650.00
Blake Street -----	125.00	375.00
King Avenue -----	75.00	200.00
Washington Avenue -----	50.00	75.00
21st Street -----	275.00	715.00
E. Washington Street -----	350.00	1,950.00
Oliver Avenue -----	95.00	350.00
Division Street -----	40.00	150.00
West Street -----	750.00	4,000.00
Senate Avenue -----	325.00	950.00
N. Illinois Street -----	575.00	2,150.00

N. Pennsylvania Street	375.00	1,125.00
Delaware Street	450.00	1,275.00
Madison Avenue	200.00	575.00
Union Street	90.00	260.00
Minnesota Street	75.00	125.00
S. East Street	650.00	1,950.00
Prospect Street	60.00	150.00
Buchanan Street	75.00	225.00
Noble Street	100.00	175.00
Shelby Street	30.00	125.00
Churchman Avenue	40.00	125.00
Fletcher Avenue	50.00	75.00
English Avenue	50.00	50.00
Southeastern Avenue	200.00	750.00
Rural Street	325.00	940.00
Sherman Drive	350.00	525.00
Emerson Avenue	150.00	325.00
Audubon Road	75.00	200.00
Arlington Avenue	30.00	75.00
E. Michigan Street	750.00	2,000.00
New York Street	500.00	1,900.00
East Tenth Street	450.00	1,050.00
Olney Street	25.00	150.00
Tuxedo Street	25.00	150.00
LaSalle Street	125.00	375.00
Eastern Avenue	50.00	175.00
Keystone Avenue	225.00	700.00
Cornell Avenue	75.00	150.00
Bellefontaine Street	250.00	675.00
Ashland Avenue	225.00	725.00
College Avenue	250.00	750.00
Park Avenue	150.00	475.00
Broadway	200.00	675.00
Ruckle Street	150.00	425.00
Central Avenue	350.00	1,000.00
New Jersey Street	300.00	975.00
Alabama Street	125.00	450.00
Talbott Avenue	150.00	525.00
Market Street	175.00	600.00
Ohio Street	150.00	450.00
Vermont Street	75.00	200.00
North Street	150.00	425.00
Walnut Street	75.00	200.00
St. Clair Street	75.00	200.00
Pratt Street	150.00	475.00
St. Joseph Street	100.00	225.00
Eleventh Street	200.00	400.00
Twelfth Street	75.00	200.00
Thirteenth Street	75.00	200.00
	<hr/> \$20,175.00	<hr/> \$60,350.00

Section 3. Any enactment, ordinance or resolution contrary to the provisions of this ordinance is hereby repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage.



Which was read a first time and referred to the Committee on Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES  
By the City Controller:

GENERAL ORDINANCE NO. 61, 1926

AN ORDINANCE, authorizing the City Controller of the City of Indianapolis to make a temporary loan or loans of Three Hundred and Fifty Thousand (\$350,000.00) Dollars in anticipation of current revenues of such city actually levied and in course of collection for the fiscal year in which such loan or loans are made, and payable out of the current revenues of said city for the year 1926. Authorizing the rate of interest to be charged therefore, providing for legal notice, appropriating the sum of Three Hundred and Fifty-Six Thousand (\$356,000.00) Dollars for the payment of the same, and fixing a time when the same shall take effect.

WHEREAS the said city will be and continue to be until the 15th day of October, 1926, without sufficient funds to pay the salary payroll and other current expenses for municipal purposes, and the said current expenses and said payroll for said period amount to at least Three Hundred and Fifty Thousand (\$350,000.00) Dollars, and

WHEREAS, the second semi-annual installment of taxes levied by the City of Indianapolis for its purposes for the year 1926, and collectible on or before the 1st day of November, 1926, will amount to more than Three Hundred and Fifty-Six Thousand (\$356,000.00) Dollars.

*Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller be and is hereby authorized and empowered to negotiate a temporary loan or loans in anticipation of the current revenues of said city actually levied and in course of collection for the fiscal year 1926, not exceeding the total sum of Three Hundred and Fifty Thousand (\$350,000.00) Dollars for a period not exceeding the periods set out in this ordinance, at a rate of interest not exceeding six per cent. (6%) per annum. The City Controller is further authorized and empowered to negotiate such loan or loans in such amounts and at such times as the City Controller may deem necessary, subject to the other provisions of this ordinance. After the publication of the notice of the determination herein made to issue bonds, warrants, or other evidence of indebtedness for such temporary loan or loans, and as provided in the ordinance, said loan or loans shall be let to the lowest bidder, at competitive bidding on the annual rate of interest under conditions prescribed in notice of the same, which shall be published for at least one day in at least one daily paper of said city. The Mayor, and City Controller are hereby authorized and directed to execute the proper obligations of the City of Indianapolis for the amount so borrowed and to the payment of such obligations, the faith of the city is hereby irrevocably pledged.

Section 2. The Mayor, City Controller and Corporation Counsel, are hereby authorized and directed to publish notice of the determination herein made to issue the bonds or other evidence of indebtedness for such temporary loan or loans, as required by law.

Section 3. That there be and is hereby appropriated out of the current revenues for the fiscal year 1926, to the Department of Finance, the sum of Three Hundred and Fifty-Six Thousand (\$356,000.00) Dollars and the same, is hereby pledged for the purposes of the payment of said loan or loans at such time as the same shall become due.

Section 4. Two Hundred and Fifty Thousand (\$250,000.00) Dollars of said sum appropriated shall be borrowed by said city on September 15, 1926, and shall run for a period not exceeding three months thereafter; One Hundred Thousand (\$100,000.00) Dollars of said sum appropriated shall be borrowed by said city on October 15, 1926, and shall run for a period not exceeding two months thereafter.

Section 5. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Dorsett, Negley, Bartholomew and Todd.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 62, 1926

AN ORDINANCE to amend General Ordinance No. 114, 1922, entitled: "An ordinance dividing the city of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses; of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; or regulating and determining the use and intensity of use of land and lot areas within such city; creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.: Indiana:*

Section 1. That the U3 or business district, the A3 or 2400 square foot area district and the H1 or 50-foot height district, as established by General Ordinance No. 114, 1922, be and the same are hereby amended, supplemented and changed so as to include the following described territory:

A. Beginning on the south property line of E. 46th St., at its intersection with the east property line of College Ave.; thence south along the east property line of College Ave., a distance of 99.75 ft.; thence east and parallel to the south property line of 46th St., to the west property line of the first alley east of College Ave.; thence

north with the west property line of said alley to the south property line of 46th St., to the point or place of beginning.

B. Beginning on the north property line of E. 46th St., at its intersection with the east property line of College Ave.; thence east with the north property line of 46th St., to the west property line of the first alley east of College Ave.; thence north and along the west property line of said alley a distance of 60 ft.; thence west and parallel to the north property line of 46th St., to the east property line of College Ave.; thence south along the east property line of College Ave., to the point or place of beginning.

Section 2. This Ordinance shall be in full force and effect upon its passage and publication according to law.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 63, 1926

AN ORDINANCE amending General Ordinance No. 114, 1922, entitled: "An ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses; of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That the U3 or business district, the A4 or 1200 square foot area district, and the H1 or 50-foot height district, as established by General Ordinance No. 114, 1922, be and the same are hereby emended, supplemented and changed so as to include the following described territory:

A. Beginning at a point on the east property line of Delaware St.; said point being 690 ft. north of the north property line of 25th St.; thence east and parallel to the north property line of 25th St. to the west property line of the first alley east of Delaware St.; thence north along the west property line of said alley to the south property line of Fall Creek Parkway, South Drive; thence southwesterly along said Parkway, South Drive, to the east property line of Delaware St.; thence south along the east property line of Delaware St. to the point or place of beginning.

B. Beginning at a point on the west property line of Delaware St., said point being 550 ft. north of the north property line of 25th St.; thence west and parallel to the north property line of 25th St. a distance of 72 ft.; thence north and parallel to the west property line of Delaware St. to the south property line of Fall Creek Parkway, South Drive; thence northeasterly along the south property line of said Parkway, South Drive, to the west property line of Dela-

ware St.; thence south along the west property line of Delaware St. to the point or place of beginning.

Section 2. This Ordinance shall be in full force and effect upon its passage and publication according to law.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Bartholomew:

#### SPECIAL ORDINANCE NO. 3, 1926

AN ORDINANCE annexing certain territory to the City of Indianapolis, Indiana, defining a part of the boundary line of said City, and fixing the time when the same shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Ind.:*

Section 1. That the City of Indianapolis be and the same is hereby extended so as to include the following described continuous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, Indiana.

Beginning at a point on the present Corporation Line, said point being the center line of Olin Ave., at its intersection with the center line of W. 10th St.; thence north with the present corporation line to its intersection with the center line of W. 16th St.; thence continuing north to the east and west center line of Section 29, Township 16, North, Range 3 East; thence west along said center line of Section 29, Township 16, North Range 3 East and continuing west along the center line of Section 30, Township 16, North Range 3 East to the west line of Section 30, Township 16, North Range 3 East; thence south along the west line of Section 30, Township 16, North Range 3 East and continuing south along the west line of Section 31, Township 16, North Range 3 East to the center line of W. 10th St. (designating the Osterman Harding Free Gravel Road); thence east along the center line of W. 10th St., to the center line of Olin Ave. to the point or place of beginning.

Section 2. This Ordinance shall be in full force and effect upon its passage and publication according to law.

Which was read a first time and referred to the Committee on Law and Judiciary.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS

On motion of Mr. Albertson, seconded by Mr. Bartholomew, the Common Council at 8:20 o'clock recessed for ten minutes in order that the Finance Committee might consider Appropriation Ordinances Nos. 1 and 2.

At 8:30 o'clock the Council was called to order and on roll call vote the same members were present as before.



## REPORTS OF COMMITTEES

Indianapolis, Ind., August 16, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred Appropriation Ordinance No. 1, 1926, entitled, To the Department of Street Commissioner, \$26,087.16, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

AUSTIN H. TODD  
CLAUDE E. NEGLEY  
WALTER R. DORSETT  
OTIS E. BARTHOLOMEW  
O. RAY ALBERTSON.

Indianapolis, Ind., August 16, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred Appropriation Ordinance No. 2, 1926, entitled, The Department of Public Works, \$80,525.00, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WALTER R. DORSETT  
CLAUDE E. NEGLEY  
AUSTIN H. TODD  
OTIS E. BARTHOLOMEW  
O. RAY ALBERTSON.

Mr. Dorsett called for General Ordinance No. 53 for second reading. It was read a second time.

On motion of Mr. Dorsett, seconded by Dr. Todd, General Ordinance No. 53 was stricken from the files.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Council voted unanimously to suspend the rules to consider the passage of Appropriation Ordinance No. 1.

Mr. Bartholomew called for Appropriation Ordinance No. 1 for second reading. It was read a second time.

On motion of Mr. Raub, seconded by Mr. Bartholomew, Appropriation Ordinance No. 1 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 1 was read a third time and passed unanimously by the Council.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, the Council voted unanimously to suspend the rules to consider the passage of Appropriation Ordinance No. 2.

Mr. Bartholomew called for Appropriation Ordinance No. 2 for second reading. It was read a second time.

On motion of Mr. Raub, seconded by Mr. Dorsett, Appropriation Ordinance No. 2 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 2 was read a third time and passed unanimously by the Council.

On motion of Mr. Dorsett, seconded by Dr. Todd, the Common Council of the City of Indianapolis adjourned at 8:40 o'clock p. m.

*Baynton J. Moore*

President.

Attest:

*William A. Boyce, Jr.*

City Clerk.



## SPECIAL MEETING

Wednesday, August 18, 1926.

The Common Council of the City of Indianapolis met in the Council Chamber, Wednesday, August 18, 1926, at 7:30 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Wednesday, August 18, 1926, at 7:30 P. M., the purpose of such meeting being to receive communications from the Mayor or City Controller of said City and for consideration of General Ordinances No. 27 and 62.

Respectfully,

BOYNTON J. MOORE.

William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WILLIAM A. BOYCE, JR.,

City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore and eight members, viz.: Otis E. Bartholomew, Walter R. Dorsett, Claude E. Negley, Austin H. Todd, Robert E. Springsteen, Millard W. Ferguson, Edward B. Raub and O. Ray Albertson.

The reading of the journal was dispensed with on motion of Mr. Dorsett, seconded by Dr. Todd.

## COMMUNICATIONS FROM THE MAYOR

August 18, 1926.

Gentlemen—I would recommend for your approval General Ordinance No. 64, an ordinance fixing and establishing the annual rate of taxation and tax levy for the year 1926 for the City of Indianapolis, Indiana and for such fund for which a separate tax levy is authorized by law to be collected and expended in 1927, and fixing a time when same shall take effect.

This above mentioned tax levy is attached for your inspection.

Yours respectfully,

JOHN L. DUVALL,

Mayor.

## Statement of Tax Levy for 1926 payable in 1927.

General City Fund	\$ .5675
City Sinking Fund	.05
Police Pension Fund	.01
Firemen Pension Fund	.01



School Health .....	.015
Park General .....	.06
Park District Bonds .....	.055
Recreation Fund .....	.0125
Track Elevation .....	.02
Tuberculosis Fund .....	.005
Sanitary Bond Fund .....	.035
Sanitary Maintenance .....	.065
Board of Health .....	.09
Flood Prevention .....	.015
Street Resurfacing .....	.02
Thoroughfare Fund .....	.005
Total .....	\$1.035

August 18, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I hereby send to you Appropriation Ordinance No. 3, covering the appropriations asked for in the Budget for the year 1927, which have all been finally approved by me.

I have requested the Boards and the Heads of the Departments in making their estimates to keep them just as low as possible. There has been several changes made in this Budget by the City Controller and myself which have all been done with the one thought in mind, of public economy and to still maintain efficiency in the proper management of our City affairs.

A copy of the itemized Budget as made up by the various departments and showing the changes made by the City Controller and myself is now in process and I have been informed by the City Controller that it will be ready for your Honorable Body within the next two or three days.

I hope that you will give this Budget favorable consideration.

Very truly yours,

JOHN L. DUVALL,

Mayor.

August 18, 1926.

*Honorable John L. Duvall, Mayor,  
City of Indianapolis:*

My dear sir:—I submit herewith for your consideration estimates of the amount of money that will be necessary for the operation of the several departments of the City of Indianapolis for the year 1927, under the General Fund. The estimates submitted by the different Boards and Departments under them in the General Fund were carefully gone over at a meeting between you and myself and finally approved by you as follows:

Mayor's Office .....	\$ 9,925.00
City Clerk .....	8,865.00
Common Council .....	6,140.00
Controller's Office .....	216,243.00
Barrett Law .....	14,480.00
Legal Department .....	28,795.00
City Plan Commission .....	16,375.00

Department of Public Purchase .....	16,105.00
Board of Public Works .....	1,347,870.00
Board of Public Safety .....	2,574,863.00
<b>Total .....</b>	<b>\$4,249,421.00</b>

At the same meeting the tax levies for the various Departments not included in the General Fund were carefully gone over and finally approved by you as follows:

City Sinking Fund .....	\$ .05
Police Pension Fund .....	.01
Firemen Pension Fund .....	.01
School Health .....	.015
Park General .....	.06
Park District Bonds .....	.055
Recreation Fund .....	.0125
Track Elevation .....	.02
Tuberculosis Fund .....	.005
Sanitary Bond Fund .....	.035
Sanitary Maintenance .....	.065
Board of Health .....	.09
Flood Prevention .....	.015
Street Resurfacing .....	.02
Thoroughfare Plan .....	.005
<b>Total .....</b>	<b>.4675</b>
General City Fund .....	.5675
<b>Total .....</b>	<b>\$1.035</b>

I firmly believe that the designated amounts of money and tax levy together with revenues other than taxes will be sufficient for the various Departments to operate efficiently during the year of 1927.

Attached you will find a statement of the tax levy for the year 1927 as made up on an estimated valuation of \$653,000,000.00 together with the revenues received from license fees and poll tax for the City General Fund purposes.

Respectfully submitted,

W. C. BUSER,  
City Controller.

Estimated Value .....	\$653,000,000.00
Tax Levy of \$.5675 .....	\$3,705,775.00
Estimated License and Fees .....	500,000.00
Estimated Revenues from Poll Tax .....	30,000.00
<b>Total Revenues .....</b>	<b>\$4,235,775.00</b>
<b>Total of General Fund Expenses: .....</b>	<b>\$4,249,461.00</b>
Less:	
Flood Prevention .....	\$10,000.00
Police and Fire Department .....	
Salaries Forfeitures .....	4,000.00      14,000.00
<b>General Fund Net Expense .....</b>	<b>\$4,235,461.00</b>

Total Revenues -----	\$4,235,775.00
Net Expenses -----	4,235,461.00
Balance -----	\$ 314.00

Mr. Albertson moved that it be the sense of the Council that the Budget as submitted by the Mayor in Appropriation Ordinance No. 3, inasmuch as it was not submitted with detailed figures and estimates from the heads of the City Departments, be not accepted by the Council in its present form. Motion seconded by Mr. Dorsett.

Mr. Raub voiced his objection to the motion.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Council recessed for ten minutes.

At 8:35 the Council reconvened, the same members being present as before.

Mr. Bartholomew moved that the Common Council refuse to accept the Budget as presented by the City Controller in Appropriation Ordinance No. 3 and General Ordinance No. 64 and that the Council be called in special meeting Thursday, August 19, at 9:00 o'clock a. m. for the purpose of receiving the complete Budget from the City Controller. Motion seconded by Mr. Dorsett and carried by the following roll call vote:

Ayes, 7, viz.: Messrs. Albertson, Bartholomew, Dorsett, Ferguson, Negley, Todd and President Moore.

Noes, 2, viz.: Messrs. Raub and Springsteen.

The Common Council of the City of Indianapolis adjourned at 8:50 o'clock p. m.

*Baynton J. Moore*

President.

Attest:

*William A. Boyce Jr.*

City Clerk.

## SPECIAL MEETING

Thursday, August 19, 1926.

The Common Council of the City of Indianapolis met in the Council Chamber, Thursday, August 19, 1926, at 9:00 o'clock a. m. in special session, President Boynton J. Moore in the chair, pursuant to the following call:

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Thursday, August 19, 1926, at 9:00 a. m., the purpose of such meeting being to receive communications from the Mayor or City Controller of said City and for the introduction of the 1927 Budget.

Respectfully,

BOYNTON J. MOORE.

I, Wm. A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WILLIAM A. BOYCE, JR.,

City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and five members, viz.: Otis E. Bartholomew, Walter R. Dorsett, O. Ray Albertson, Robert E. Springsteen and Austin H. Todd.

Absent: Claude E. Negley, Edward B. Raub and Millard W. Ferguson.

The reading of the journal was dispensed with on motion of Mr. Albertson, seconded by Mr. Dorsett.

On motion of Mr. Dorsett, seconded by Dr. Todd, the Common Council recessed for five minutes.

The Council reconvened at 9:35 o'clock a. m., the same members being present as before.

## INTRODUCTION OF APPROPRIATION ORDINANCES

By the Mayor:



## APPROPRIATION ORDINANCE NO. 3, 1926

AN ORDINANCE, APPROPRIATING moneys for the purpose of defraying current expenses of the City Government of the City of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal year, beginning January 1st, 1927, and ending December 31st, 1927, including all outstanding claims and obligations and fixing a time when the same shall take effect. Repealing all General, Special Appropriation and other Ordinances in any manner in conflict.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and is hereby appropriated out of the funds of the City of Indianapolis, Indiana, for the purpose of defraying expenses of said City and for the use of the several executive departments thereof, for the fiscal year, beginning January 1st, 1927, and ending December 31st, 1927, including all outstanding claims and obligations existing on the first day of said fiscal year for the following sums of money for the different departments of said City and for the several purposes are hereinafter set forth:—

## ORGANIZATION UNIT: OFFICE OF MAYOR

## OFFICE OF MAYOR.

1. Services - Personal			
11. Salaries and Wages. Regular.			
Mayor @ -----	\$7,500.00	\$	7,500.00
Secretary @ -----	2,000.00		2,000.00
2. Services - Contractual			
21. Communication and Transportation			
212 Postage -----	25.00		
214 Telegraph and Telephone -----	175.00		200.00
25. Repairs -----			25.00
3. Supplies			
36. Office -----			200.00
Total: Office of Mayor -----		\$	9,925.00

## ORGANIZATION UNIT; CITY CLERK

## CITY CLERK

1. Services - Personal			
11. Salaries and Wages. Regular.			
1. City Clerk @ -----	\$3,000.00	\$	3,000.00
1. Stenographer @ -----	1,200.00		1,200.00
2. Services - Contractual			
21. Communication and Transportation			275.00
24. Printing and Advertising -----			3,500.00
25. Repairs -----			350.00
3. Supplies			
36. Office -----			300.00
Total: City Clerk -----		\$	8,625.00

## ORGANIZATION UNIT: COMMON COUNCIL

## COMMON COUNCIL

1. Services - Personal			
11. Salaries and Wages. Regular.			
9 Councilmen @ -----	\$ 600.00	\$	5,400.00

1 Sergeant-at-arms -----	400.00	400.00
1 Secretary of Committee -----	240.00	240.00
36. Office -----		100.00
Total: Common Council -----		\$ 6,140.00

## DEPARTMENT: FINANCE

## ORGANIZATION UNIT: CITY CONTROLLER

1. Service - Personal		
11. Salaries and Wages		
Controller -----	\$	4,000.00
Deputy Controller -----		2,500.00
Bookkeeper -----		2,400.00
License Clerk -----		1,800.00
Clerk -----		600.00
Stenographer -----		1,500.00
Stenographers 2 @ -----	\$1,200.00	2,400.00
Sinking Fund Commissioners 2 @ -----	100.00	200.00
Ass't Sec'y Athletic Commission --		400.00
2. Services - Contractual		
21. Communication and Transportation		
211. Freight, Express and Drayage \$	10.00	
212. Postage -----		300.00
214 Telephone and Telegraph ---		153.00
216. Traveling Expenses -----		500.00
Total Item No. 21 -----		963.00
24. Printing and Advertising -----		700.00
25. Repairs -----		50.00
3. Supplies		
36. Office -----		5,000.00
5. Current Charges		
51. Insurance and Premiums -----		1,250.00
53. Refunds, Awards and Indemnities --		200.00
55. Subscriptions and Dues -----		30.00
6. Current Obligations		
61. Interest -----		182,000.00
62. Grants and Subsidies -----		10,150.00
7. Properties		
72. Equipment -----		100.00
Total: City Controller -----		\$216,243.00

## ORGANIZATION UNIT: PUBLIC PURCHASE

## PUBLIC PURCHASE DEPARTMENT:

1. Service - Personal		
11. Salaries and Wages. Regular.		
1. Purchasing Agent @ -----	\$	5,000.00
1. Asst. Purchasing Agt. @ -----		2,000.00
1. Clerk @ -----		1,800.00
1. Inspector and Storekeeper @ --		1,800.00
1. Bookkeeper @ -----		1,200.00
1. Stenographer @ -----		1,020.00

1. Clerk @-----	900.00
1. Clerk @-----	900.00
2. Service - Contractual	
21. Communication and Transportation	550.00
24. Printing and Advertising -----	500.00
25. Repair of Equipment -----	25.00
3. Supplies	
36. Office supplies -----	600.00
5. Current Charges	
55. Subscriptions and Dues -----	10.00
7. Properties	
72. Equipment -----	250.00
Total: Public Purchase -----	<u>\$ 16,105.00</u>

## ORGANIZATION UNIT: BARRETT LAW DIVISION

## BARRETT LAW DIVISION:

1. Service - Personal	
11. Salaries and Wages. Regular	
1. Bookkeeper -----	\$ 1,800.00
1. Clerk -----	1,800.00
3 Clerks @-----	\$1,500.00 4,500.00
1. Asst. Bookkeeper -----	1,500.00
1. Stenographer -----	1,080.00
2. Services - Contractual	
21. Communication and Transportation	400.00
24. Printing and Advertising -----	300.00
25. Repairs -----	100.00
3. Supplies	
36. Office -----	2,500.00
7. Properties	
72. Equipment -----	500.00
Total: Barrett Law Division -----	<u>\$ 14,480.00</u>

## ORGANIZATION UNIT: CITY PLAN COMMISSION

## CITY PLAN COMMISSION:

1. Service - Personal	
11. Salaries and Wages. Regular	
1. Engineer @-----	\$3,000.00 \$ 3,000.00
1. Secretary @-----	1,800.00 1,800.00
4. Draftsmen @-----	1,800.00 7,200.00
12. Temporary Salaries and Wages -----	200.00
13. Other Compensation -----	2,400.00
2. Service - Contractual	
21. Communication and Transportation	250.00
24. Printing and Advertising -----	500.00
25. Repairs -----	25.00
3. Supplies	
33. Auto - Gas and Supplies -----	300.00
36. Office -----	600.00
5. Current Charges	
55. Dues, etc. -----	50.00

7. Properties	
721. Furniture and Fixtures -----	50.00
Total: City Plan Commission -----	\$ 16,375.00

## ORGANIZATION UNIT: DEPARTMENT OF LAW

1. Services - Personal	
11. Salaries and Wages. Regular	
1. Corporation Counsel -----	\$ 5,000.00
1. City Attorney -----	4,000.00
1. Ass't. City Attorney -----	2,500.00
1. 2nd Ass't. City Attorney -----	2,400.00
1. Deputy Prosecutor -----	1,500.00
1. Claim Agent -----	1,200.00
1. Stenographer -----	1,320.00
1. Stenographer -----	1,200.00
2. Services - Contractual	
21. Communication and Transportation -----	125.00
24. Printing and Advertising -----	50.00
25. Repairs -----	25.00
3. Supplies	
36. Office -----	250.00
5. Current Charges	
53. Refunds, Awards and Indemnities -----	9,000.00
55. Subscriptions and Dues -----	25.00
7. Properties	
72. Equipment -----	200.00
Total: Department of Law -----	\$ 28,795.00

## DEPARTMENT: BOARD OF WORKS

## ORGANIZATION UNIT: ADMINISTRATION

## ADMINISTRATION.

1. Services - Personal.	
11. Salaries and Wages. Regular.	
1. President @ -----	\$3,000.00 \$ 3,000.00
2. Members @ -----	2,500.00 5,000.00
1. Clerk @ -----	1,500.00 1,500.00
1. Stenographic Clerk @ -----	1,800.00 1,800.00
1. Assistant Clerk @ -----	1,200.00 1,200.00
1. Record Clerk @ -----	1,200.00 1,200.00
1. Bond Clerk @ -----	1,800.00 1,800.00
13. Other Compensations -----	1,200.00
2. Services - Contractual.	
21. Communication and Transportation -----	6,000.00
22. Heat, Light, Power and Water -----	660,000.00
24. Printing and Advertising -----	10,000.00
25. Repairs -----	50.00
26. Services—Other Contractual -----	40,000.00
3. Supplies	
36. Office -----	1,000.00
5. Current Charges	
51. Insurance and Premiums -----	2,800.00
53. Refunds, Awards and Indemnities -----	12,000.00



54. Rents and Leases -----	2,000.00
7. Properties	
72. Equipment -----	150.00
Total: Administration -----	\$750,700.00

## DEPARTMENT

## ORGANIZATION UNIT: PUBLIC BUILDINGS

## PUBLIC BUILDINGS:

1. Services - Personal.		
11. Salaries and Wages. Regular.		
1. Custodian at City Hall @ ---	\$1,800.00	\$ 1,800.00
2. Firemen at City Hall @ -----	1,200.00	2,400.00
2. Elevator Operators @ -----	1,080.00	2,160.00
1. Night Watchman City Hall @	1,080.00	1,080.00
2. Telephone Operators @ -----	960.00	1,920.00
6. Janitors City Hall @ -----	1,080.00	6,480.00
2. Janitors at Tomlinson Hall @	960.00	1,920.00
2. Attendants Comfort Station @	840.00	1,680.00
2. Matrons Comfort Station @	720.00	1,440.00
2. Services—Contractual.		
21. Communication and Transportation		25.00
22. Heat, Light, Power and Water		12,000.00
25. Repairs -----		5,000.00
26. Other Contractual -----		400.00
3. Supplies.		
32. Fuel and Ice -----		2,000.00
34. Institutional and Medical -----		1,000.00
38. Supplies General -----		400.00
4. Materials.		
41. Building -----		500.00
45. Repair Parts -----		100.00
7. Properties.		
72. Equipment -----		800.00
Total -----		\$43,105.00

## DEPARTMENT: BOARD OF WORKS

## ORGANIZATION UNIT: CITY CIVIL ENGINEER

## CITY CIVIL ENGINEER:

1. Services - Personal.		
11-1. Salaries and Wages. Regular.		
1. City Civil Engineer @ -----	\$3,500.00	\$ 3,500.00
1. Ass't. Civil Engineer @ -----	3,600.00	3,600.00
2. Ass't. Civil Engineers @ -----	2,400.00	4,800.00
2. Junior Asst. Engineers @ -----	2,160.00	4,320.00
2. Senior Office Aids @ -----	1,800.00	3,600.00
2. Office Aids @ -----	1,500.00	3,000.00
4. Junior Office Aids @ -----	1,320.00	5,280.00
3. Senior Draftsmen @ -----	1,320.00	3,960.00
3. Junior Draftsmen @ -----	1,200.00	3,600.00
4. Senior Field Aids @ -----	1,800.00	7,200.00

1.	Field Aid @	1,500.00	1,500.00
12.	Junior Field Aids @	1,200.00	14,400.00
1.	Chief Clerk @	2,100.00	2,100.00
1.	Ass't. Clerk @	1,500.00	1,500.00
1.	Junior Clerk @	1,200.00	1,200.00
11-2.	Flood Prevention Department.		
1.	Junior Ass't. Engineer @	2,160.00	2,160.00
1.	Senior Office Aid @	1,800.00	1,800.00
1.	Junior Office Aid @	1,320.00	1,320.00
1.	Senior Field Aid @	1,800.00	1,800.00
3.	Junior Field Aids @	1,200.00	3,600.00
1.	Senior Inspector @	1,500.00	1,500.00
11-3.	C. C. E. O. Inspectors.		
1.	Chief Inspector @	2,000.00	2,000.00
2.	Senior Inspectors @	1,800.00	3,600.00
3.	Inspectors—Regular @	1,320.00	3,960.00
29.	Junior Inspectors (7 mos.) @	1,200.00	20,300.00
1.	Stenographer @	1,200.00	1,200.00
11-4.	Laboratory Department.		
1.	Chemical Engineer @	3,600.00	3,600.00
1.	Ass't. Chemical Engineer @	1,800.00	1,800.00
1.	Senior Ass't. Engineer @	1,400.00	1,400.00
1.	Junior Ass't. Chem. Eng. @	1,320.00	1,320.00
1.	Junior Inspector (6 mos.) @	600.00	600.00
11-5.	Asphalt Plant Department.		
1.	Plant Superintendent @	2,000.00	2,000.00
11-6.	Asphalt Street Repair:		
2.	Foremen (Regular) @	1,500.00	3,000.00
2.	Foremen (Temporary) @	1,320.00	1,320.00
11-7.	Brick and Block Dept:		
1.	Foreman @	1,500.00	1,500.00
11-8.	Cement Walk and Curb Dept:		
1.	Foreman @	1,320.00	1,320.00
11-9.	Street Lighting Dept:		
1.	Superintendent @	1,620.00	1,620.00
12.	Salaries and Wages. Temporary.		
12-2.	Street Repair.		
2.	Rollermen @ 60c per hr.	1,680.00	1,680.00
4.	Truck Drivers @ 60c per hr.	3,360.00	3,360.00
4.	Markers @ 55c per hr.	3,080.00	3,080.00
6.	Rakers @ 60c per hr.	5,040.00	5,040.00
6.	Tampers @ 55c per hr.	4,620.00	4,620.00
4.	Shovelers @ 55c per hr.	3,360.00	3,360.00
30.	Laborers @ 45c per hr.	18,900.00	18,900.00
2.	Watchmen @ \$2.50 per night	1,085.00	1,085.00
12-3.	Brick and Block Dept:		
10.	Laborers @ 45c per hr.	6,300.00	6,300.00
12-4.	Cement Walk and Curb Dept.		
1.	Finisher @ 70c per hr.	980.00	980.00
7.	Laborers @ 45c per hr.	4,410.00	4,410.00
2.	Services - Contractual.		
21.	Communication and Transportation		10,000.00
24.	Printing and Advertising		700.00
25.	Repairs		1,000.00
3.	Supplies:		
32.	Fuel and Ice		2,000.00

33.	Garage and Motor Supplies -----		300.00
35.	Laboratory Supplies -----		300.00
11.	Salaries and Wages. Regular		
	1. Chief @ -----	\$4,000.00	\$ 4,000.00
	2. 1st. Ass't. Chiefs @ -----	3,182.50	6,365.00
	1. 2nd Ass't. Chief @ -----	3,062.50	3,062.50
	10. Battalion Chiefs @ -----	2,582.50	25,825.00
	1. Secretary @ -----	2,582.50	2,582.50
	2. Aides to Chief (Lieut.) @ -----	2,182.50	4,365.00
	10. Aides to Batt. Chiefs -----		
	(Chauf.) @ -----	1,982.50	19,825.00
	42. Captains @ -----	2,382.50	100,065.00
	68. Lieutenants @ -----	2,182.50	148,410.00
	4. Engineers @ -----	1,982.50	7,930.00
	105. Chauffeurs @ -----	1,982.50	208,162.50
	289. 1st Grade Men @ -----	1,916.25	553,796.25
	44. 1st Grade Substitutes @ -----	1,916.25	84,315.00
	10. 2nd Grade Substitutes @ -----	1,733.50	17,335.00
	1. Stenographer @ -----	1,500.00	1,500.00
	1. Ass't. Secretary @ -----	1,800.00	1,800.00
13.	Other Compensation		
2.	Services - Contractual.		
	21. Communication and Transportation -----		8,000.00
	22. Heat, Light and Power -----		5,500.00
	24. Printing and Advertising -----		200.00
	25. Repairs -----		6,000.00
	26. Other Contractual -----		25.00
3.	Supplies		
	32. Fuel and Ice -----		10,000.00
	33. Garage and Motor -----		21,000.00
	34. Institutional and Medical -----		2,000.00
	36. Office Supplies -----		800.00
	38. General Supplies -----		3,500.00
4.	Materials		
	41. Building -----		* 5,000.00
	44. General Materials -----		2,500.00
	45. Repair Parts -----		7,000.00
5.	Current Charges		
	55. Subscriptions and Dues -----		8.00
7.	Properties		
	72. Equipment -----		8,000.00
Total: Fire Department -----			\$1,268,871.75

## ORGANIZATION UNIT: POLICE DEPARTMENT

## DEPARTMENT: BOARD OF SAFETY

## POLICE DEPARTMENT:

## 1. Services - Personal

## 11. Salaries and Wages. Regular

1.	Chief of Police @ -----	\$4,000.00	\$ 4,000.00
3.	Inspectors @ -----	3,282.50	9,847.50
6.	Captains @ -----	2,582.50	15,495.00
14.	Lieutenants @ -----	2,382.50	33,355.00
32.	Sergeants @ -----	2,182.50	69,840.00

	55. Detectives Sergeants @	2,182.50	120,037.50
	396 Patrolmen @		749,040.00
	1st Grade @	1,920.00	
	2nd Grade @	1,800.00	
	3rd Grade @	1,620.00	
	4. Court Bailiffs @	1,920.00	7,680.00
	1. Probation Officer @	2,182.50	2,182.50
	1. Ass't. Secretary @	1,800.00	1,800.00
	5. 2nd Year Women Patrol @	1,920.00	9,600.00
	1. Secretary @	2,582.50	2,582.50
	4. Traffic Repairmen @	1,320.00	5,280.00
	1. Hostler @	1,200.00	1,200.00
	7. Janitors @	1,080.00	7,560.00
	4. Stenographic Clerks @	1,200.00	4,800.00
	13. Other Compensations		2,500.00
2.	Services - Contractual		
	21. Communication and Transportation		7,383.00
	22. Heat, Light and Power		14,000.00
	24. Printing and Advertising		350.00
	25. Repairs		7,000.00
	26. Other Contractual		4,869.00
3.	Supplies		
	32. Fuel and Ice		350.00
	33. Garage and Motor		21,500.00
	34. Institutional and Medical		800.00
	36. Office Supplies		3,000.00
	38. General Supplies		4,110.00
4.	Materials		
	41. Building		700.00
	44. General Materials		1,500.00
	45. Repair Parts		4,000.00
5.	Current Charges		
	54. Rents		1,208.00
	55. Subscriptions and Dues		20.00
7.	Properties		
	72. Equipment		25,000.00

Total: Police Department ----- \$1,142,590.00

DEPARTMENT: BOARD OF PUBLIC SAFETY

ORGANIZATION UNIT: GAMEWELL DIVISION.

1.	Services - Personal		
	11. Salaries and Wages. Regular		
	Electrical Engineer @	\$	3,600.00
	1. General Foreman @		2,582.50
	1. Ass't. Foreman @		2,182.50
	11. Circuit Repairmen @	\$1,982.50	21,807.50
	1. Fire Alarm Box Inspector @		1,916.25
	1. Groundman @		1,320.00
	14. Signal Operators @	1,916.25	26,827.50
2.	Services Contractual		
	21. Communication and Transportation		20.00
	24. Printing and Advertising		50.00
	25. Repairs		1,000.00
3.	Supplies		



33. Garage and Motor -----	1,500.00
36. Office Supplies -----	500.00
38. General Supplies -----	7,500.00
4. Material	
44. General Materials -----	8,000.00
45. Repair Parts -----	1,500.00
7. Properties	
72. Equipment -----	5,000.00
Total: Gamewell Division -----	\$ 85,306.25

## DEPARTMENT: PUBLIC SAFETY

## ORGANIZATION UNIT: WEIGHTS AND MEASURES.

## WEIGHTS AND MEASURES:

1. Services - Personal		
11. Salaries and Wages. Regular		
1. Chief Inspector @ -----	\$1,800.00	\$ 1,800.00
4. Deputy Inspectors @ -----	1,430.00	5,720.00
2. Services - Contractual		
21. Communications and Transportation		15.00
25. Repairs -----		100.00
3. Supplies		
33. Garage and Motor -----		400.00
36. Office Supplies -----		625.00
4. Materials		
45. Repair Parts -----		100.00
7. Properties		
72. Equipment -----		100.00
Total: Weights and Measures --		\$ 8,860.00

## DEPARTMENT: BOARD OF SAFETY

## ORGANIZATION UNIT: DOG POUND.

## DOG POUND:

1. Services - Personal		
11. Salaries and Wages. Regular		
1. Pound Keeper @ -----	\$1,200.00	\$ 1,200.00
1. Deputy Pound Keeper @ -----	1,020.00	1,020.00
2. Services - Contractual		
21. Communication and Transportation		60.00
22. Heat, Light and Power -----		100.00
25. Repairs -----		500.00
3. Supplies		
31. Food -----		350.00
32. Fuel and Ice -----		250.00
33. Garage and Motor -----		500.00
34. Institutional and Medical -----		300.00
36. Office Supplies -----		20.00
38. General Supplies -----		200.00
4. Materials		
41. Building -----		750.00
45. Repair Parts -----		100.00

## 5. Current Charges.

54. Rents ----- 360.00

Total: Dog Pound ----- \$ 5,710.00

## DEPARTMENT: BOARD OF PUBLIC SAFETY.

## ORGANIZATION UNIT: EAST MARKET.

## 1. Services - Personal

## 11. Salaries and Wages. Regular

Market Master @ ----- \$ 2,000.00

Ass't. Market Master @ ----- 1,500.00

2. Watchmen @ ----- \$ 900.00 1,800.00

6. Janitors @ ----- 960.00 5,760.00

Matron @ ----- 240.00

12. Salaries and Wages. Temporary ----- 250.00

## 2. Services - Contractual

21. Communication and Transportation ----- 70.00

22. Heat, Light and Power ----- 2,300.00

25. Repairs ----- 5,000.00

26. Services - Other Contractual ----- 20.00

## 3. Supplies

32. Fuel and Ice ----- 30.00

33. Garage and Motor ----- 5.00

34. Institutional ----- 150.00

36. Office ----- 125.00

38. General Supplies ----- 225.00

## 4. Materials

41. Building ----- 100.00

## 7. Properties

72. Equipment ----- 15.00

Total: East Market ----- \$ 19,590.00

36. Office Supplies ----- 2,000.00

38. General Supplies ----- 1,000.00

## 4. Materials:

41. Building Materials ----- 100.00

43. Street and Alley Materials ----- 10,000.00

44. General Materials ----- 500.00

45. Repair Parts ----- 150.00

## 7. Properties:

72. Equipment ----- 6,000.00

Grand Total of All Accounts ----- \$213,185.00

## ORGANIZATION UNIT: ASSESSMENT BUREAU.

## 1. Personal Service.

## 1. Salaries and Wages. Regular.

1. Transfer Clerk @ ----- \$1,200.00 \$ 1,200.00

6. Junior Clerks @ ----- 1,200.00 7,200.00

## 2. Services Contractual:

21. Communication and Transportation ----- 200.00

24. Printing and Advertising ----- 100.00

25. Repairs ----- 50.00

3.	Supplies:		
36.	Office	-----	150.00
7	Properties.		
72.	Equipment	-----	400.00
Grand Total			<hr/> \$9,300.00

DEPARTMENT: BOARD PUBLIC WORKS.

ORGANIZATION UNIT: MUNICIPAL GARAGE.

## MUNICIPAL GARAGE.

1.	Services - Personal. Regular.		
11.	Salaries and Wages. Regular.		
1.	Superintendent @	\$3,000.00	\$ 3,000.00
1.	Foreman @	2,400.00	2,400.00
1.	Clerk-Stenographer @	1,200.00	1,200.00
1.	Night Mechanic & Watchman	1,500.00	1,500.00
12.	Salaries and Wages. Temporary		22,500.00
2.	Services. Contractual:		
21.	Communication and Transportation		200.00
22.	Heat, Light, Power and Water		1,000.00
25.	Repairs		2,000.00
26.	Other Contractual		6,000.00
3.	Supplies:		
32.	Fuel and Ice		50.00
33.	Garage and Motor Supplies		22,000.00
36.	Office Supplies		25.00
4.	Materials:		
45.	Repair Parts		6,000.00
7.	Properties:		
72.	Equipment		3,100.00
Grand Total Garage			<hr/> \$70,975.00

DEPARTMENT: BOARD PUBLIC WORKS

ORGANIZATION UNIT: DEPT. PUBLIC SERVICE

## STREET COMMISSIONER:

1.	Personal Service:		
11.	Salaries and Wages. Regular.		
11-1.	Office Administration:		
1.	Commissioner @	\$3,000.00	\$ 3,000.00
1.	Chief Clerk @	1,680.00	1,680.00
1.	Timekeeper @	1,500.00	1,500.00
1.	Clerk-Inspector @	1,320.00	1,320.00
1.	Clerk-Typist @	1,000.00	1,000.00
11-2.	Sewer Department:		
1.	Ass't. Commissioner @	2,000.00	2,000.00
1.	Inspector @	1,320.00	1,320.00
3.	Foremen @	1,320.00	3,960.00
11-3.	Unimproved Streets Dept.		
3.	Foremen @	1,320.00	3,960.00
11-4.	City Yards Dept.		
1.	Foreman @	1,320.00	1,320.00

11-5. Street Cleaning Dept.		
4. Inspector @	1,500.00	6,000.00
1. Barn Foreman @	1,200.00	1,320.00
12-1. Sewer Department:		
2. Eductor Men @ 60c per hr		2,808.00
4. Eductor Helpers @ 50c per hr		4,680.00
3. Emergency Drivers @ 55c per hr.		3,861.00
3. Basin Truck Drivers @ 55c per hr.		3,861.00
14. Laborers @ 50c per hr.		11,700.00
1. Dump Man @ \$4.00 per wk		208.00
12-2. Unimproved Street Dept.		
5. Heavy Truck Drivers @ 60c per hr.		5,270.00
5. Heavy Truck Helpers @ 50c per hr.		4,350.00
7. Light Truck Drivers @ 55c per hr.		6,759.00
4. Tractor Drivers @ 55c per hr.		1,750.00
4. Grader Men @ 55c per hr.		1,750.00
10. Laborers @ 50c per hr.		6,121.00
12-3. City Yards:		
1. Watchmen @ \$21.00 per wk.		1,092.00
1. Red Light Man @ \$21. per wk		1,092.00
2. Emergency Men @ 50c per hr		2,914.00
1. Laborer @ 50c per hr.		1,456.00
1. Blacksmith @ 65c per hr.		1,521.00
1. Blacksmith Helper @ 50c per hr.		1,170.00
12-4. Carpenter Dept:		
1. Foreman @ \$1.25 per hr.		2,892.50
2. Carpenters @ \$1.25 per hr.		5,322.20
2. Laborers @ 50c per hr.		2,340.00
1. Truck Driver @ 55c per hr.		1,287.00
1. Painter @ \$1.10 per hr.		2,516.80
Adjustment 1926 Union Wage Scale		641.50
12-5. Weed Cutting Department:		
30. Laborers @ 45 and 50c hr.		2,500.00
12-6. Sprinkling Road Oil:		
3. Heavy Truck Drivers @ 60c per hr.		900.00
3. Heavy Truck Helpers @ 50c per hr.		750.00
1. Oil House Man @ 50c per hr.		350.00
12-7. Street Cleaning Department:		
1. Truck Foreman @ 65c per hr.		1,800.00
18. Teamsters @ 50c per hr.		12,916.00
200. Laborers @ 45c per hr.		60,000.00
7. Light Truck Drivers @ 55c per hr.		8,000.00
6. Flusher Drivers @ 60c per hr.		6,250.00
5. Truck Helpers @ 50c per hr.		5,000.00
3. Dump Men @ \$4 per wk.		624.00
3. Stablemen @ 50c per hr.		4,368.00



1.	Blacksmith @ 65c per hr. ....	1,521.00
1.	Horseshoer @ 65c per hr. ....	1,521.00
2.	Service - Contractual	
21.	Communication and Transportation	4,137.00
22.	Heat, Light, Power and Water	450.00
24.	Printing and Advertising	25.00
25.	Repairs	3,000.00
26.	Services - Other Contractual	500.00
3.	Supplies	
32.	Fuel and Ice	1,500.00
33.	Garage and Motor	1,500.00
36.	Office	350.00
38.	General Supplies	10,000.00
4.	Materials	
42.	Sewer Materials	5,500.00
43.	Street and Alley Materials	14,000.00
44.	General Materials	250.00
45.	Repair Parts	2,000.00
5.	Current Charges	
54.	Rents and Taxes	900.00
7.	Properties	
71.	Buildings, Structures & Improvements	2,590.00
72.	Equipment	1,700.00
Total Street Commissioner		\$260,645.00

## DEPARTMENT: BOARD OF PUBLIC SAFETY.

## ORGANIZATION UNIT: ADMINISTRATIVE.

1.	Service - Personal		
11.	Salaries and wages. Regular		
	Commissioners, 3 @	\$1,200.00	\$ 3,600.00
	Secretary		2,500.00
	Bookkeeper		2,000.00
	Stenographer		1,500.00
13.	Other Compensations		1,120.00
2.	Services - Contractual		
21.	Communications and Transportation		30.00
25.	Repairs		25.00
26.	Services, Other Contractual		200.00
3.	Supplies		
36.	Office		400.00
7.	Properties		
72.	Equipment		100.00
Total Board of Safety,			
Administrative			\$ 11,475.00

## DEPARTMENT: BOARD OF SAFETY

## ORGANIZATION: FIRE DEPARTMENT

## FIRE DEPARTMENT:

## 1. Services - Personal

DEPARTMENT: BOARD OF PUBLIC SAFETY.  
ORGANIZATION UNIT: BUILDING DEPARTMENT.

1. Services - Personal		
11. Salaries and Wages. Regular		
Building Commissioner @ -----	\$	3,600.00
Ass't. Commissioner @ -----		3,300.00
Plan Examiner @ -----		2,700.00
Chief Inspector @ -----		2,500.00
Chief Clerk @ -----		2,100.00
1st Ass't. Clerk @ -----		1,950.00
Bookkeeper @ -----		1,500.00
Stenographer and Sec'y. to Boards		1,320.00
5. Building Inspectors @ -----	\$2,400.00	12,000.00
Smoke Inspector (Combustion		
Engineer) @ -----		3,000.00
Ass't. Smoke Inspector @ -----		2,400.00
Elevator Inspector @ -----		2,400.00
Chief Sign Inspector @ -----		2,000.00
Board of Electrical Examiners,		
1 Member @ -----		60.00
Board of Plumbing Examiners,		
3 Members @ -----		180.00
2. Services - Contractual		
21. Communication and Transportation		50.00
24. Printing and Advertising -----		500.00
25. Repairs -----		50.00
3. Supplies		
36. Office -----		800.00
7. Properties		
72. Equipment -----		50.00
Total: Building Department ---	\$	42,460.00
Grand Total for entire Budget as set out		
above -----		\$4,249,421.00

Section 2. All General, Special, Appropriation and other Ordinances in conflict in any manner are herewith repealed: This Section shall not be in force and effect until on and after January 1st, 1927.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Bartholomew, Chairman, Messrs. Todd, Albertson, Dorsett and Ferguson.

INTRODUCTION OF GENERAL ORDINANCES.

By the Mayor:

GENERAL ORDINANCE NO. 64, 1926

AN ORDINANCE, fixing and establishing the annual rates of taxation and tax levies for the year 1926 for the City of Indianapolis for each fund for which a separate tax levy is authorized by law to be collected and expended in the year 1927 and fixing

a time when this Ordinance shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and is hereby levied and assessed upon all real estate and improvements and all personal property of whatsoever description, notes, bonds, stocks choses in action of every kind and character in the City of Indianapolis, Indiana, as assessed and returned for taxation in said City, for the year 1926, and a tax of Fifty-Six and three-fourths Cents (\$.5675) for General Purposes on each One Hundred (\$100.00) Dollars valuation of such taxable property also Fifty Cents (\$.50) on each poll for General Purposes also a tax levy of Five Cents (\$.05) for the City Sinking Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of One Cent (\$.01) for the Police Pension Fund on each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of One Cent (\$.01) for the Firemen Pension Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of One and one-half Cent (\$.015) for School Health Fund upon each One Hundred (\$100.00) Dollars of such taxable property; also a tax levy of Six Cents (\$.06) for Park General Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Five and one-half Cents (\$.055) for the Park District Bonds upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of One and one-fourth Cent (\$.0125) for the Recreation Fund upon each One Hundred Dollars valuation of such taxable property; also a tax levy of Two Cents (\$.02) for Track Elevation Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Five Mills (\$.005) for Tuberculosis Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Three and Five Mills (\$.035) for Sanitary Bond Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Six Cents Five Mills (\$.065) for Sanitation Maintenance Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Nine Cents (\$.09) for the Board of Health Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of One Cent-Five Mills (\$.015) for the Flood Prevention Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Two Cents (\$.02) for Street Resurfacing Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Five Mills (\$.005) for the Thoroughfare Plan Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; all of which levies are duly authorized by specific laws.

Section 2. That the Auditor of Marion County, Indiana, be and is hereby ordered and directed to place all such tax levies upon the property tax duplicates and the County Treasurer of such county ex-officio City Treasurer, be and is hereby ordered and directed to collect same for the City of Indianapolis and each of said departments thereof, and make due report thereof, as provided by law.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Dorsett, Chairman, Messrs. Albertson, Todd, Bartholomew and Ferguson.

The Common Council of the City of Indianapolis adjourned at 9:50 o'clock a. m.

*Boydton J. Moore*

President.

Attest:

*William A. Boyce Jr.*

City Clerk.









## SPECIAL MEETING

Tuesday, August 24, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Tuesday, August 24, 1926, at 7:30 p. m., in special session, President Boynton J. Moore in the chair pursuant to the following call:

The Clerk called the roll.

August 23, 1926, 3:00 p. m.

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Tuesday, August 24, 1926, at 7:30 p. m., the purpose of such meeting being to reconsider the publication of the Budget for 1927 and to receive communications from the Mayor, City Comptroller and other city officers.

Respectfully,

BOYNTON J. MOORE,

President.

I, Wm. A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WM. A. BOYCE, Jr.

City Clerk.

Which was read.

Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and seven members, viz.: Otis E. Bartholomew, Walter R. Dorestt, Austin H. Todd, Robert E. Springsteen, Millard W. Ferguson, Edward B. Raub and O. Ray Albertson.

Absent: Claude E. Negley.

## REPORTS FROM COMMITTEES

Indianapolis, Ind., August 24, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee to whom was referred General Ordinance No. 64, 1926, establishing the 1926 tax levies, collectible in 1927, beg leave to report that we have had



said ordinance under consideration, and recommend that the same be passed after being amended.

WALTER R. DORSETT, Chairman

OTIS E. BARTHOLOMEW

AUSTIN H. TODD

M. W. FERGUSON.

#### ORDINANCES ON SECOND READING

Mr. Dorsett called for General Ordinance No. 64 for second reading.

Mr. Raub raised a point of order, objecting to the calling of any ordinances for second reading due to the fact that the call for the special meeting did not include the consideration of any ordinances then before the Council.

Mr. Raub's point of order was overruled by President Moore.

General Ordinance No. 64 was read a second time.

Mr. Dorsett then presented the following written motion:

Indianapolis, Ind., August 24, 1926.

*Mr. President:*

I move that General Ordinance No. 64, 1926, be amended to read as follows:

#### GENERAL ORDINANCE NO. 64, 1926, AS AMENDED.

AN ORDINANCE, fixing and establishing the annual rates of taxation and tax levies for the year 1926, for the City of Indianapolis, for each fund for which a separate tax levy is authorized by law, to be collected and expended in the year 1927, and fixing a time when this ordinance shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and hereby is levied and assessed upon all real estate and improvements and all personal property of whatsoever description, notes, bonds, stocks, chosen—in action of every kind and character in the City of Indianapolis, Indiana, as assessed and returned for taxation in said year in said city for the year 1926, a tax of Fifty-five and one-half cents (\$.555) for general purposes on each One Hundred (\$100.00) Dollars valuation of such taxable property; also Fifty Cents (\$.50) on each poll for gen-

eral purposes; also a tax levy of Five Cents (\$.05) for the City Sinking Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of One Cent (\$.01) for the Police Pension Fund on each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of One Cent (\$.01) for the Firemen Pension Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of One and One-half Cents (\$.015) for School Health Fund upon each One Hundred (\$100.00) Dollars of such taxable property; also a tax levy of Eight Cents (\$.08) for Park General Fund upon each One Hundred (\$100.00) Dollars valuation on such taxable property; also a tax levy of Five and One-Half Cents (\$.055) for the Park District Bonds upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of One and One-Half Cents (\$.015) for the Recreation Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Two Cents (\$.02) for Track Elevation Fund upon each One Hundred (\$100.00) Dollars of such taxable property; also a tax levy of Five Mills (\$.005) for Tuberculosis Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Three and One-Half Cents (\$.035) for Sanitary Bond Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Six Cents (\$.06) for Sanitation Maintenance Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Nine Cents (\$.09) for the Board of Health Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of One and One-Half Cents (\$.015) for the Flood Prevention Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Two Cents (\$.02) for Street Resurfacing Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; also a tax levy of Five Mills (\$.005) for the Thoroughfare Plan Fund upon each One Hundred (\$100.00) Dollars valuation of such taxable property; all of which levies are duly authorized by specific laws.

Section 2. That the Auditor of Marion County, Indiana, be and he is hereby ordered and directed to place all such tax levies upon the property tax duplicates and the County Treasurer, of such County, ex-officio City Treasurer be and he is hereby ordered and directed to collect the same for the City of Indianapolis and each of said Departments thereof, and make due report thereof, as provided by law.

Section 3. This ordinance shall be in full force and effect from and after its passage.

WALTER R. DORSETT,

Councilman.

which was adopted by the following vote:

Ayes, 6, viz.: Messrs. Albertson, Bartholomew, Dorsett, Ferguson, Todd and President Moore.

Noes, 1, viz.: Messrs Raub and Springsteen.

Mr. Bartholomew moved that the Council order the

republishing of the 1926 tax levies as contained in the amended General Ordinance No. 64 and give notice of public hearing to be held September 7.

Mr. Dorsett made a motion to adjourn which was seconded by Mr. Bartholomew but failed to carry by the following vote:

Ayes, 4, viz.: Messrs. Dorsett, Bartholomew, Todd, and President Moore.

Noes, 4, viz.: Messrs. Albertson, Springsteen, Raub and Ferguson.

Mr. Raub raised another point of order that if the matter of passing the tax levies were left until September 7, which is after the first Monday in September, then the 1926 Budget and Levy would hold over for the ensuing year.

Mr. Raub then presented the following written motion to confirm the first publication of the Tax Levies and Budget as made by the City Clerk in two papers on August 23:

*Mr. President:*

I move that the publication, theretofore made by the City Clerk of the Budget and Tax Levy and notice of publication of the hearing thereon for September 3rd, 1926, at 9 a. m., be ratified and confirmed, and in all things considered and taken to be authorized by this council.

EDWARD B. RAUB,  
Councilman.

Mr. Raub's motion to confirm the action of the City Clerk was lost by the following vote:

Noes, 6, viz.: Messrs. Albertson, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

Ayes, 2, viz.: Messrs. Springsteen and Raub.

President Moore then gave notice of a special meeting of the Council to be held in the Council Chamber, Thursday, August 26, at 7:30 p. m.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Common Council of the City of Indianapolis, Indiana, adjourned at 9:20 p. m.

*Raynton J. Moore*

President.

Attest:

*William A. Boyce, Jr.*

City Clerk.





## SPECIAL MEETING

Thursday, August 26, 1926.

The Common Council of the City of Indianapolis met in the Council Chamber, Thursday, August 26, 1926, at 7:30 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

August 25, 1926.

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Thursday, August 26, 1926, at 7:30 p. m., the purpose of such meeting being to receive communications from the Mayor or City Controller of said City and for the consideration of General Ordinance No. 64 and Appropriation Ordinance No. 3, including the re-publication of the 1927 Budget and tax levies.

Respectfully,  
BOYNTON J. MOORE,  
President.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

WILLIAM A. BOYCE, Jr.  
City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President and five members, viz.: Austin H. Todd, Otis E. Bartholomew, Millard W. Ferguson, Walter R. Dorsett and O. Ray Albertson.

Absent: Claude E. Negley, Edward B. Raub and Robert E. Springsteen.

## INTRODUCTION OF APPROPRIATION ORDINANCES

By Mr. Bartholomew:

## APPROPRIATION ORDINANCE NO. 4, 1926.

AN ORDINANCE, Appropriating the sum of Twenty Thousand One Hundred and Seventy-five Dollars (\$20,175.00) to Gasoline Tax Fund No. 12, Temporary Salary and Wages, and the sum of Sixty Thousand Three Hundred and Fifty Dollars

(\$60,350.00) to Gasoline Tax Fund No. 43, Street and Alley Material, both of which fund numbers being hereby created in the Department of the City Civil Engineer in the Department of Public Works of Indianapolis, out of the gasoline tax money for the purposes of repairing certain streets hereinafter specified and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis:*  
*Indiana:*

Section 1. That the sum of Twenty Thousand One Hundred and Seventy-five Dollars (\$20,175.00) is hereby appropriated to Gasoline Tax Fund No. 12, Temporary Salary and Wages, and the sum of Sixty Thousand and Three Hundred and Fifty Dollars (\$60,350.00) is hereby appropriated to Gasoline Tax Fund No. 43, Street and Alley Material, both of which fund numbers being hereby created in the Department of the City Civil Engineer in the Department of Public Works of the City of Indianapolis, out of the gasoline tax money, to be used by said Department in repairing the streets and avenues as set forth in this ordinance.

Section 2. That the Department of the City Civil Engineer immediately upon taking effect of this ordinance shall proceed from the above appropriated monies and as closely to said Engineers estimates as practicable, to make needed repairs on the following named streets and avenues in the City of Indianapolis:

South Meridian Street.  
Maryland Street.  
Georgia Street.  
Louisiana Street.  
McCrea Street.  
South Street.  
Merrill Street.  
Russell Avenue.  
McCarty Street.  
Ray Street.  
Morris Street.  
Bluff Avenue.  
Raymond Street.  
Harding Street.  
Kentucky Avenue.  
Belmont Avenue.  
East Washington Street.  
Oliver Avenue.  
Division Street.  
West Street.  
Senate Avenue.  
North Illinois Street.  
North Pennsylvania Street.  
Delaware Street.  
Madison Avenue.  
Union Street.  
Minnesota Street.  
South East Street.  
Prospect Street.  
Buchanan Street.  
Noble Street.

Shelby Street.  
Churchman Avenue.  
Fletcher Avenue.  
English Avenue.  
Southeastern Avenue.  
Rural Street.  
Sherman Drive.  
Emerson Avenue.  
Audubon Road.  
Arlington Avenue.  
East Michigan Street.  
New York Street.  
East Tenth Street.  
Olney Street.  
Tuxedo Street.  
LaSalle Street.  
Eastern Avenue.  
Keystone Avenue.  
Cornell Avenue.  
Bellefontaine Street.  
Ashland Avenue.  
College Avenue.  
Park Avenue.  
Broadway.  
Ruckle Street.  
Central Avenue.  
New Jersey Street.  
Alabama Street.  
Talbot Avenue.  
Market Street.  
Ohio Street.  
Vermont Street.  
North Street.  
Walnut Street.  
St. Clair Street.  
Pratt Street.  
St. Joseph Street.  
Eleventh Street.  
Twelfth Street.  
Thirteenth Street.  
Sixteenth Street.  
Massachusetts Avenue.  
Roosevelt Avenue.  
25th Street.  
22nd Street.  
23rd Street.  
West 30th Street.  
Gale Street.  
Hillside Avenue.  
Martindale Avenue.  
Columbia Avenue.  
Washington Blvd.  
32nd Street.  
34th Street.  
36th Street.



40th Street.  
42nd Street.  
63rd Street.  
Ft. Wayne Avenue.  
Pine Street.  
Highland Street.  
State Street.  
Kenwood Avenue.  
Boulevard Place.  
Northwestern Avenue.  
Clifton Street.  
Congress Avenue.  
20th Street.  
26th Street.  
Highland Place  
Indiana Avenue.  
Blake Street.  
King Avenue.  
Washington Avenue.  
21st Street.

Section 3. Any enactment, ordinance or resolution contrary to the provisions of this ordinance is hereby repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage.

OTIS E. BARTHOLOMEW.

Councilman.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Albertson, Dorsett, Todd and Bartholomew.

By Mr. Bartholomew:

#### APPROPRIATION ORDINANCE NO. 5, 1926.

AN ORDINANCE, appropriating the sum of Eleven Thousand Three Hundred and Forty-five (\$11,345.00) Dollars to Gasoline Tax Fund No. 12, Temporary Salary and Wages, the sum of Ten Thousand and Forty-Two (\$10,042.16) Dollars and Sixteen Cents to Gasoline Tax Fund No. 452, Materials, Parts of Structures and the sum of Thirty-Five Hundred (\$3500.00) Dollars to Gasoline Tax Fund No. 251, Services Contractual, all in the Department of the Street Commissioner in the Department of Public Works of the City of Indianapolis, out of the Gasoline Tax money, for the purposes of repairing certain bridges hereinafter specified, creating such Fund numbers, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there is hereby appropriated the sum of Eleven Thousand Three Hundred and Forty-five (\$11,345.00) to Gasoline Tax Fund No. 12, Temporary Salary and Wages, the sum of Ten Thousand and Forty-two (\$10,042.16) Dollars and Sixteen

Cents to Gasoline Tax Fund No. 251, Services Contractual, all in the Department of the Street Commissioner, in the Department of Public Works of the City of Indianapolis, out of the Gasoline Tax Money, for the purposes of repairing bridges as set forth in this ordinance, said fund numbers mentioned in this section being hereby created and established.

Section 2. That the Department of the Street Commissioner immediately upon taking effect of this ordinance shall proceed from the above appropriated moneys and as closely to said engineer's estimates as practicable, to make needed repairs on the following named bridges in the City of Indianapolis:

West 10th St. River Bridge.  
Harding St. River Bridge.  
Raymond St. River Bridge.  
Fall Creek and 21st St. Bridge.  
Canal and 25th St. Bridge.  
Cottage Ave. and Pleasant Run Bridge.  
South Meridian St. and Pleasant Run Bridge.  
W. Michigan St. Eagle Creek Bridge.  
Pleasant Run and Beecher St. Bridge.  
Pleasant Run and Barth Avenue Bridge.  
Pleasant Run and Shelby St. Bridge.  
Pleasant Run and Minnesota St. Bridge.  
Pleasant Run and Spruce Bridge.  
Pleasant Run and Prospect St. Bridge.  
Pleasant Run and Ritter Ave. Bridge.  
New York St. River Bridge.  
Kentucky Avenue and Missouri St. Bridge.

Section 3. Any enactment, ordinance or resolution contrary to the provisions of this ordinance is hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after its passage.

OTIS E. BARTHOLOMEW.

Councilman.

Which was read a first time and referred to the Committee on Finance.

## INTRODUCTION OF MISCELLANEOUS BUSINESS

Mr. Dorsett presented the following written motion:

Indianapolis, Ind., August 26, 1926.

*Mr. President:*

I move that General Ordinance No. 64, 1926, be further amended as follows:

By changing the tax levy for the City General Fund from \$.565 to \$.56 on each \$100.00 of taxable property.

By changing the tax levy for the Park General Fund from \$.08 to \$.07 on each \$100.00 of taxable property.

By changing the tax levy for the Sanitation Maintenance Fund from \$.06 to \$.065 on each \$100.00 of taxable property.

Making a total combined City Tax Levy of \$1.04 upon each \$100.00 of taxable property, as follows:

City General Fund -----	\$ .56
City Sinking Fund -----	.05
Police Pension Fund -----	.01
Firemen Pension Fund -----	.01
School Health Fund -----	.015
Park General Fund -----	.07
Park District Bonds -----	.055
Recreation Fund -----	.015
Track Elevation -----	.02
Tuberculosis Fund -----	.005
Sanitary Bond Fund -----	.035
Sanitation Maintenance Fund -----	.065
Board of Health Fund -----	.09
Flood Prevention Fund -----	.015
Street Resurfacing -----	.02
Thoroughfare Plan Fund -----	.005

\$1.04

WALTER R. DORSETT,  
Councilman.

The above motion was seconded by Mr. Bartholomew.

Mr. Albertson raised a point of order and objected to the consideration of the Budget and Tax Levies for 1927 by a Special Committee instead of the Finance Committee.

Mr Dorsett's motion was passed by the following vote:

Ayes, 5, viz: Messrs. Bartholomew, Dorsett, Ferguson, Todd and President Moore.

Noes, 1, viz: Mr. Albertson.

Mr. Bartholomew presented the following written motion:

Indianapolis, Ind., August 26, 1926.

*Mr. President:*

I move that the Clerk be instructed to have printed in the proceedings of this meeting the complete official opinion given by the Supreme Court of the State of Indiana on July 26, 1926, in the matter of determining the legal right of the Common Council to increase the sanitation levy above the rate recommended by the Mayor and City Comptroller.

OTIS E. BARTHOLOMEW,  
Councilman.

The above motion was seconded by Dr. Todd and

passed by the following vote:

Ayes, 5, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Todd and President Moore.

Noes, 1, viz.: Mr. Albertson.

Mr. Ferguson presented the following written motion:

Indianapolis, Ind., August 26, 1926.

*Mr. President:*

I move that this Council hereby approve and confirm the action of our clerk in publishing the proposed city tax levies and proposed 1927 budget in two papers of opposite political faith under date of August 23, 1926, and wherein notice was given of the intention of this Common Council to hold a public hearing on said tax levies and budget on the 3rd day of September, 1926, at 9:00 a. m.

M. W. FERGUSON,

Councilman.

The above motion was seconded by Mr. Bartholomew and passed unanimously by the Council.

THE STATE OF INDIANA,

IN THE SUPREME COURT, MAY TERM, 1926.

On the 26th day of July, 1926, being the 56th Judicial day of said May Term, 1926.

No. 25123

Hon. David A. Myers, Chief Justice.

Hon. Willard B. Gemmill,

Hon. Julius C. Travis,

Hon. Benjamin M. Willoughby,

Hon. Louis B. Ewbank,

Associate Judges.

IN THE CASE OF

State Board of Tax Commissioners  
of the State of Indiana, etc.

-vs-

State of Indiana, ex rel.

City of Indianapolis, etc., et al

APPEALED FROM THE  
MARION SUPERIOR  
COURT

Come the parties by their attorneys, and the Court being sufficiently advised in the premises, gives its opinion and judgment as follows, pronounced by

Gemmill, J.

The appellee brought this suit to mandate the State Board of Tax Commissioners of the State of Indiana and its members to perform the official act of certifying to the auditor of Marion County its affirmance of a tax levy of \$.065 on each \$100.00 of taxables in the Sanitary District of Indianapolis for the use of said District and the Board of Sanitary Commissioners thereof, or to pass on the merits raised by remonstrances to said levy and determine a proper levy



for said district for the year, 1925. Appellants filed a demurrer to the complaint, which was overruled. They refused to plead further and elected to stand on the court's ruling on the demurrer. Judgment was then entered by the court against the appellants. By the judgment, the state board of tax commissioners and its members were ordered to perform the official duty imposed upon them by law and to pass upon the merits of the rate and levy of \$.065 on each \$100.00 of taxables within the limits of the Sanitary District of Indianapolis, established and levied, as the rate of taxation for taxes for 1925, payable in 1926, for sanitary maintenance and general expense fund, and either to affirm or decrease said rate and levy after passing upon the merits thereof.

The complaint, in which said sanitary district of Indianapolis and said board of sanitary commissioners are referred to as relator, alleges that the relator exists and for several years last past has existed under and by virtue of an act of the General Assembly of Indiana, approved March 9, 1917, and acts amendatory thereof and supplemental thereto; that at the proper and legal time in the year 1925, the relator prepared in the proper and approved form, its budget itemizing the expenses which relator estimated it would be required to make in order to perform in the year 1926, the duties imposed by law upon it; that after relator had prepared said budget, the mayor and city controller of the city of Indianapolis attempted to reduce the total sum named by relator of \$501,735 to \$423,500 and further attempted to reduce said sum of \$23,500 by \$75,000, which they estimated was the amount of revenue from its operations which relator would receive during 1926; that the mayor and controller purported to "allow" relator, in order to produce said fund a levy of \$.055 on each \$100.00 of taxables in relator's said sanitary district; that a notice to taxpayers of tax levy for sanitation purposes was duly published over the names of the mayor, the city controller and the president of the common council, in which it was stated that the proposed rate of taxation for sanitation maintenance purpose was \$.055 on each \$100.00 of taxable property in the city of Indianapolis, and that a public hearing would be held in the council chamber of the city hall in the city of Indianapolis on the 7th day of September, 1925, on the proposed budget for the succeeding year and the rate of taxation to be established for said department; that after the publication of said notice and after said public hearing had been held, the common council of the city of Indianapolis, on September 7, 1925, duly and regularly adopted its levy ordinance and that said ordinance fixed and established \$.065 on each \$100.00 of taxables in that part of relator's said sanitary district within the limits of said city, as the rate of taxation established and levied for taxes for 1925, payable in 1926, for relator's said sanitary maintenance and general expense fund; that thereafter the mayor vetoed that part of said levy ordinance fixing said rate at \$.065, and thereafter said common council duly and regularly adopted and passed over the mayor's said veto that part of said levy ordinance vetoed by him; that thereupon the common council reported said levy and rate of \$.065 to the county auditor of Marion county and the latter reported same to the state board of tax commissioners; that thereafter two petitions, each signed by ten or more qualified taxpayers were filed with said county auditor and by him certified to the state board of tax commissioners objecting to said levy and rate of \$.065

for the reason that said levy and rate "is more than government economically administered warrants;" that notice was given as to hearing on said remonstrances and same was duly held on October 6, 1925; that thereafter the state board of tax commissioners issued an order in the matter of said petitions in which it was stated that an order in the matter of said petitions in which it was stated that the Board found that \$.055 was the rate of levy published for the sanitary district of the city of Indianapolis and that said rate should stand without change, and it was ordered that the tax levy for said department of sanitation for said city for the year 1925, be and remain at \$.055 to be levied upon each \$100.00 of taxable property in the taxing unit affected by said levy; that said order was by said state board certified to the auditor of Marion County; and that the state board has failed to perform the duty imposed upon it by law, viz: to pass upon said levy of \$.065 on the merits; and that said levy so made and established by the common council was and is in all respects legal and valid.

It is claimed by the appellants that the department of public sanitation of Indianapolis is a department of the city government; that the levy of taxes for that department can only be made by the city officers after the formation and publication by them of a budget, showing in detail the money proposed to be expended during the succeeding year, the valuation of all taxable property within the jurisdiction, the rate of taxation proposed to be established and only after a public hearing at which taxpayers may be heard; that no rate of taxation can be levied by city officials in excess of that stated in the notice as the proposed rate; and that the state board of tax commissioners did pass on the merits of the question raised by the remonstrances and such action of the Board is final.

The department of public sanitation of cities of the first class was established by the general assembly in 1917. This department was created in addition to the executive departments of cities of that class Acts 1917, p. 573; Burns' 1926, Sec. 10577. In said act it was provided that a sanitary district was to consist of all the territory included within the corporate limits of any city of the first class and all the territory of any incorporated town lying within the boundaries of said city. The sanitary district under consideration consists of all the territory within the corporate limits of the City of Indianapolis and all the territory of the incorporated town of Woodruff Place. The sanitary district Act of 1917, in Sec. 21, sated how revenue for its support should be raised and provided that a tax of \$.02 on each \$100.00 of taxable property should be levied annually by the common council of said city and by the board of trustees of said town, respectively, for general expenses, operation, maintenance and repairs. Said section was amended by the legislature of 1921 and a tax of not exceeding \$.04 on each \$100.00 of taxable property was provided for. Acts 1921, p. 315. And the amended section was amended in 1923, same now stating that a tax of not exceeding \$.08 on each \$100.00 of taxable property in such city of the first class and in such incoproated town located within the boundaries thereof shall be levied annually by the common council of said city and by the board of trustees of said town respectively, for sanitary purposes. Acts 1923, p. 386; Burns' 1926, Sec. 10597. In Sec. 24 of said sanitation department act, it is said: "No appropriation in any form shall be necessary, but all funds arising under the provis-

ions hereof shall be deemed appropriated to the respective purposes herein named." Burns' 1926. Sec. 10600.

In the Act of 1905 concerning municipal corporations, (Acts 1905, p. 219), in Sec. 200 thereof, as amended in 1911, it is provided that the common council shall levy a tax upon the property and polls shown in certificate issued to it, as may be deemed necessary by such council to supply the needs of such city during the ensuing year for city purposes for which taxes may be properly levied. Burns' 1926, Sec. 10956.

It is insisted by appellants and denied by appellee that chapter 84 of said Act of 1905, concerning municipal corporations, (Burns' 1914, Sec. 8686, Burns' 1926, Sec. 10306), applies to the department of public sanitation of the city of Indianapolis. This section contains the following specific provisions:—It shall be the duty of each executive department before the commencement of each fiscal year to submit to the joint meeting of the heads of the departments, an estimate of the amount of money required for their respective departments for the ensuing fiscal year. After such meeting, reports and consultations, the city controller shall proceed to revise such estimates and shall then prepare a report to the mayor of the various estimated amounts required in such controller's opinion for each executive department together with an estimate of the necessary per cent. of taxes to be levied. The mayor shall, at the next meeting of the common council, present such report with such recommendations as he may see fit. It shall be the duty of the committee of finance of the common council thereupon to prepare an ordinance fixing the rate of taxation for ensuing year, and also an ordinance making appropriations by items for the use of the various executive departments. As it is not required to appropriate funds for the use of the department of public sanitation, an appropriation ordinance for it is not necessary.

The budget law, as enacted in 1921, same being Sec. 200 of the Tax Law (Burns' 1926, Sec. 14239), provides that the several tax levies shall be established by the proper legal officers of any municipal corporation after the formation and publication by them of a budget showing in detail the money proposed to be expended during the succeeding year, the valuation of all taxable property within the jurisdiction and the rate of taxation it is proposed to establish, and after a public hearing within the jurisdiction at which any taxpayer shall have a right to be heard thereon.

When the department of public sanitation was added to the existing executive departments of the city of Indianapolis in 1917, that department came under all the general taxing laws for departments of cities of the first class, except where the act under which it was created provided otherwise. When established, its tax rate for general purposes and maintenance was a fixed amount. Later the Legislature twice changed and increased the rate so as not to exceed a certain number of cents for each \$100.00 of taxable property. After the act was first amended in that particular, the tax rate for that department could only be determined by the proper officers in the same manner that tax rates were fixed for other executive departments. There is no merit to the contention that the Sanitary District is a separate entity—a distinct municipality.

In 1925 the sanitary district of Indianapolis prepared in the



proper and approved form, its budget for a sanitary maintenance and general expense fund, itemizing the expenses which it would be required to make in order to perform its duties, in the year 1926. The "Notice to Taxpayers of Tax Levies" was duly given. The part of same pertaining to the department of public sanitation was as follows:

"The proposed budget, the valuation of all taxable property within the city of Indianapolis, Ind., and the sanitation district of the city of Indianapolis, Ind., and the proposed rate of taxation for such purposes are as follows:

#### FOR SANITATION PURPOSES

Administration	\$ 24,100.00
Ash and garbage collection	274,255.60
Sewage disposal plant	175,000.00
Night soil plant and incinerator	10,380.00
Improvement, maintenance of lands and roads	3,000.00
Garbage reduction plant	15,000.00

Total as asked for by sanitation board -----\$501,735.00

Total as allowed by Mayor\* -----\$423,500.00

\*In explanation to total allowed by Mayor:

The levy of \$.055 for the sanitation department as allowed by the mayor, figured on an approximate valuation of \$652,000,000.00, (\$652,000,000.00) would bring the department of sanitation approximately -----\$358,500.00

Estimate of revenue received by sanitation department 75,000.00

Department would receive for 1926 -----\$423,500.00

The proposed rate of taxation for the sanitation maintenance purpose is five mills (\$.055) on each \$100 of taxable property in the city of Indianapolis and sanitation district of Indianapolis, Ind.

Also desire to state that a tax levy of four cents (\$.04) is allowed the sanitation department for sanitation bond fund for sinking fund purposes to take care of the principal and interest falling due on sanitation district bonds during the year 1926 of \$238,070."

In same, the following statements will be noted: "Total as allowed by mayor" and "The levy of \$.055 for the sanitation department as allowed by the mayor." The mayor has not authority to "allow" anything in this matter, but by Sec. 84 of the Act of 1905, concerning municipal corporations, sometimes called the City Charter Act, a duty was placed upon him, stated as follows: "The mayor shall, at the next meeting of the common council present such report (the controller's), with such recommendations as he may see fit." By "allowed" as used in the published notice was doubtless meant "recommended." It is not provided that the recommendation of the mayor as to the rate of taxation had to be accepted either by the finance committee of the common council, whose duty it is to prepare an ordinance fixing the rate, or by the common council, which has the duty and responsibility of finally acting upon the ordinance. If the mayor's recommendation had to be followed, then the common council in passing the ordinance and establishing the rate would have no power in regard thereto except to follow a recommendation with which its members might not agree. After an or-



dinance levying a tax has been passed by the common council, the mayor can disapprove same, and it does not become law and operative unless passed over his veto by the common council by a two-thirds vote. Acts 1905, p. 236, Sec. 80, Burns' 1926, Sec. 10295. If the mayor's recommendation had to be adopted by the common council, then it would not have been necessary for the legislature to have given him the power to disapprove ordinances levying taxes. In establishing a tax rate for a city and its departments, it is the duty of the mayor to make his recommendation in regard to same before the ordinance is enacted, and after that is done he has the power to disapprove same, but final action in passing the ordinance rests with the common council.

The budget law provides, among other things, that the notice published shall show in detail the money proposed to be expended during the succeeding year. In the notice published as to tax levy for the public sanitation department, the total amount which the mayor desired to recommend is stated, but the different items are not set out, so taxpayers could not have learned from the notice how the money to be raised by taxation was to be used if the Mayor's recommendation has been accepted. This notice, in accordance with the statute, provided that at a certain place and time, a public hearing would be held on the proposed budget and on the proposed rate of taxation for the succeeding year. And at the public hearing, ANY taxpayer had a right to be heard on these subjects. This statutory right to be heard, given ANY taxpayer, is not restricted to taxpayers in favor of the proposed rate, as published, or of a lower rate, but would include those, if any, desiring a higher rate. The rate proposed, recommended by the mayor, was offered to taxpayers for consideration and discussion, and was presented to the common council for acceptance if it desired to adopt same after the recommendation and public hearing. The common council is not required to follow suggestions of taxpayers made at the public hearing. In fact, these suggestions might be so different that it would be impossible to reconcile and follow same. After the common council has passed an ordinance fixing the tax levy, taxpayers who feel aggrieved have an opportunity to be heard by appealing to the state board of tax commissioners as was done in regard to the tax levy under consideration by two groups of taxpayers. Rule 9 of the state board of tax commissioners for the year 1925, gives the following reasons for objections, on appeal: That the amount to be collected on the levies adopted by the tax levying officers is more than government economically administered warrants or that any item in such levy will raise more money than the public needs require. The remonstrators objected for the first of said causes.


The state board, after the hearing on the petitions filed by taxpayers, issued an order thereon, part of which is as follows: "And after hearing the evidence and arguments and being fully advised in the premises this Board finds that \$0.55 was the rate of levy published for that department and that said rate shall stand without change. It is therefore ordered that the tax levy for the Department of Sanitation of the City of Indianapolis for the year 1925 be and remain at \$.055 to be levied upon each one hundred dollars of taxable property in the taxing unit effected by said tax levy."

It is alleged in the complaint that the state board of tax Commissioners has failed to perform the duty imposed upon it by law

in that it has failed and refused after hearing on said petitions to pass upon said rate and levy of \$.065 on the merits. The reply brief of appellants states: "The demurrer admits that the board did not consider a \$.065 rate, but the obvious reason is that it had no power to consider any rate in excess of \$.055." The proposed rate, named in the published notice, was never adopted by the common council, and it had the authority to establish the rate provided for in the ordinance which it passed. The only rate which it fixed was that of \$.065. The objection to this rate that it is more than government economically administered warrants, has not been acted upon by the state board as shown by its said admission in its reply brief. It cannot be agreed that all the allegations of the complaint are true, yet it states facts sufficient to constitute a cause of action against the appellants. The court did not err in overruling the demurrer.

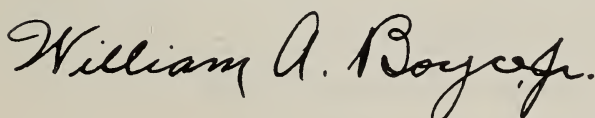
The judgment is affirmed.

On motion of Dr. Todd, seconded by Mr. Bartholomew, the Common Council of the City of Indianapolis adjourned at 7:55 o'clock p. m.



President.

Attest:



City Clerk.



## REGULAR MEETING

Saturday, September 4, 1926, 1:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Saturday, September 4, 1926, at 1:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll:

Present: Hon. Boynton J. Moore, President, and six members, viz.: Walter R. Dorsett, Otis E. Bartholomew, Millard W. Ferguson, Austin H. Todd, Robert E. Springsteen and O. Ray Albertson.

Absent: Edward B. Raub and Claude E. Negley.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Dr. Todd.

## COMMUNICATIONS FROM THE MAYOR.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, Appropriation Ordinances Nos. 1 and 2.

Yours very truly

JOHN L. DUVALL,

Mayor.

## REPORTS FROM CITY OFFICERS.

August 21, 1926.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.*

Dear Sir—Attached hereto is a Special Ordinance, authorizing the sale of the South half of lot No. 24 of Marion Highlands addition, (38th and Central Ave.).

We are asking permission from the Council to sell the above described piece of real estate as it is of no further utility or benefit.

Very truly yours,

CLARENCE MYERS,

Secretary, Board of Park Commissioners.

August 28, 1926.

Gentlemen—I have been requested by the Board of Public Safety to submit to you an ordinance transferring and reappropriating the sum of One Thousand (\$1,000.00) Dollars from the Board of Public Safety, Fire Department Fund No. 44, General Materials; and Two Thousand (\$2,000.00) Dollars from the Board of Public



Safety, Fire Department Fund No. 72, Equipment, to the Board of Public Safety, Fire Department Fund No. 33, Garage and Motor.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

August 28, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requested by the Board of Public Safety to submit to you an ordinance transferring and reappropriating the sum of One Thousand (\$1,000.00) Dollars from the Board of Public Safety, Police Department Fund No. 26, Other Contractual, to the Board of Public Safety, Police Department Fund No. 38, General Supplies.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

August 28, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requested by the Board of Public Safety to submit to you an ordinance transferring and reappropriating the sum of Eighty-two Dollars and Twenty-five Cents (\$82.25) from the Board of Public Safety, Gamewell Division Fund No. 24, Printing and Advertising; Three Hundred and Fifty Dollars (\$350.00) from the Board of Public Safety, Gamewell Division Fund No. 44, General Materials; Three Hundred and Fifty Dollars (\$350.00) from the Board of Public Safety, Gamewell Division Fund No. 45, Repairs, to the Board of Public Safety, Gamewell Division Fund No. 33, Garage and Motor.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

August 28, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requesteed by the Board of Public Safety to submit to you an ordinance transferring the sum of Two Hundred and Fifty (\$250.00) Dollars from the Board of Public Safety, Building Department Fund No. 24, to the Board of Public Safety, Building Department Fund No. 36, Office Supplies.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

August 28, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requested by the Board of Public Safety to submit to you an ordinance transferring and reappropriating the sum of Two Hundred Sixty-six (\$266.70) Dollars and Seventy Cents from the Board of Public Safety, Fire Prevention Department Fund No. 72, to the Board of Public Safety, Fire Prevention Department Fund No. 36 (Office Supplies).

I respectfully recommend the passage of this ordinance.

Yours,  
W. C. BUSER,  
City Controller.

August 28, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requested by the Board of Public Works to submit to you a General Ordinance transferring the sum of Five Hundred (\$500.00) Dollars from Fund No. 72 (Equipment) in the City Civil Engineer Department to Fund No. 36 (Office Supplies) in the City Civil Engineer Department all under the Board of Public Works.

I respectfully recommend the passage of this ordinance.

Yours,  
W. C. BUSER,  
City Controller.

August 28, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requested by the Board of Public Works to submit to you a General Ordinance transferring the sum of Thirty-five Hundred (\$3,500.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 33, Garage and Motor, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 22, Heat, Light, Power and Water.

I respectfully recommend the passage of this ordinance.

Yours,  
W. C. BUSER,  
City Controller.

August 28, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have been requested by the Board of Public Works to submit to you a General Ordinance transferring the sum of One Thousand (\$1,000.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 25, Repairs, and reappropriating

the same to Board of Public Works, Municipal Garage Fund No. 45, Repair Parts.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

## REPORTS FROM STANDING COMMITTEES

Indianapolis, Indiana, September 3, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committees to whom were referred Appropriation Ordinance No. 3, 1926, containing the recommendations of the Mayor and City Controller for the 1927 Budget, and General Ordinance No. 64, containing the recommendations of the Mayor and City Controller for the 1927 Tax Levies, beg leave to report that we have given said recommendations very careful and thorough consideration and herewith submit our report and recommendations for action by the Council.

### TAX LEVIES

In the matter of tax levies your committee sees fit to recommend a total City rate of \$1.04 on each \$100.00 of taxable property. While this is an increase of one-half cent over the recommendation of the Mayor and City Controller yet we recommend a reduction of three-fourth cent in the City General Fund placing it at Fifty-six cents (\$.56) thereby saving approximately \$48,000.00 in the general expenses of the City government. The two departments allowed tax levies increases are one cent increase for the Park General Fund and one-fourth cent for the Recreation Fund. Your committee has unanimously decided that in the interests of the Park system and Recreation activities of our City that the rates proposed by the Mayor and City Controller would have been insufficient to have permitted these two departments to operate efficiently and to the same extent as they are now doing. We do not believe that it is the desire of any great number of Indianapolis citizens that our Park and Recreation departments be curtailed in any of their numerous activities which all react to the benefit of our citizens.

### CITY BUDGET - CITY GENERAL FUND \$56

MAYOR'S OFFICE—Your committee recommends the same detailed allowance for the maintenance of the Mayor's Office as submitted by the Mayor.

CITY CLERK'S OFFICE—In the City Clerk's Office your committee recommends an increase of \$300.00 to the salary of the Deputy City Clerk which is now known as "Stenographer." The City Clerk's Office, contrary to general opinion, is one of the few self-supporting departments of the City. During the first eight months of this year the total of \$14,470.00 was collected and turned in to the general fund of the City in addition to the other activities of the office. The City Clerk is entitled by law to deputies as well as

stenographers but the in both capacities. The minimum amount established by State law for Deputy City Clerk is \$1500.00.

**COMMON COUNCIL**—Your committee recommends no changes in the figures for the Common Council as submitted by the Mayor.

**CITY CONTROLLER**—Your committee recommends a decrease of \$270.00 in this department. A few minor decreases in the various units of the office are also recommended.

**PUBLIC PURCHASE DEPARTMENT**—Your committee recommends no changes in this department.

**BARRETT LAW DIVISION**—Your committee recommends a reduction of \$250.00 in the item of Office Supplies in this department.

**CITY PLAN COMMISSION**—The State law authorizing the formation of a City Plan Department sets the minimum tax levy allowance for this department at three mills which on the present valuation would provide an income of \$19,541.20. In the figures for this department submitted by the Mayor and City Comptroller they recommend a total of \$16,375.00 which is \$3,166.20 below the minimum amount stipulated by statute. Your committee thereafter has recommended the minimum amount for this department.

**DEPARTMENT OF LAW**—Your committee recommends a total decrease of \$2190.00. An increase of \$300.00 in the salary of Deputy Prosecutor is provided for in our recommendations. We feel that this is more than justified due to the double work that it is necessary for this individual to do in the Municipal Courts. Your committee does not recommend an additional attorney for the legal department at a salary of \$2400.00 as recommended by the Mayor. We feel that the present force is sufficient to carry on the work of the Legal Department.

**BOARD OF WORKS**—A reduction of \$500.00 is recommended out of the item Communication and Transportation for the Organization Unit, Board of Public Works department.

**BOARD OF WORKS, PUBLIC BUILDINGS**—A reduction of \$960.00 is recommended in this department, \$1,000.00 off of the recommended amount for repairs to buildings and \$200.00 from general supplies while an increase of \$240.00 is recommended for the two City Hall elevator operators.

**BOARD OF WORKS, CITY CIVIL ENGINEER**—A total decrease of \$16,551.00 is recommended for this department made up as follows: \$8,000.00 from the Mayor's recommendation for Street and Alley materials which item will be taken care of out of the 1927 Gasoline Tax fund; \$5,040.00 in the elimination of two Senior and two Junior Draftsmen. In 1926 the department did not have any draftsmen at this rating and your committee is allowing this department one each. An elimination of one regular inspector, two laborers in the Street Repair department, the elimination of one laborer in the Cement Walk and Curb department effects a total saving of \$3,196.00. Your committee has recommended an increase of \$175.00 per year in the salary of 29 Junior inspectors which we feel is well justified.

**BOARD OF WORKS, ASSESSMENT BUREAU**—A decrease of \$2,550.00 is recommended for this department; \$2400.00 by eliminating two Junior Clerks leaving four Junior clerks in the Budget which



is the same as the department had this year. \$100.00 off of the Equipment and \$50.00 off of Communication and Transportation.

**MUNICIPAL GARAGE**—\$1100.00 is eliminated from the total appropriation recommended for this department—\$500.00 from Garage and Motor supplies, \$500.00 from Repair parts and \$100.00 from Equipment.

**STREET COMMISSIONERS**—A total of \$21,040.70 is cut from the recommendations of the Mayor for this department. The largest saving being \$9,000.00 by eliminating thirty laborers in the Street Cleaning department leaving a total of 170 laborers which is considerable more than the department had this year. \$2,000.00 is cut from the recommendations of the Mayor for Street and Alley materials in this department, this amount still being more than the department had this year. \$1320.00 by eliminating a clerk inspector in the Street Commissioner's Office which request would have made a new job. Several additional helpers, truck drivers, etc., were eliminated when it was found that the department could function with the same force that it had this year.

**DEPARTMENT OF PUBLIC SAFETY - ADMINISTRATIVE**—An increase of \$1600.00 is recommended for this department to take care of the salaries of the police and fire department Surgeon which were not included in the Budget as recommended by the Mayor. Your committee is strongly in favor of continuing the activities of the Surgeon. It does not believe the police and fire departments should be hampered by his elimination.

**DEPARTMENT OF PUBLIC SAFETY - FIRE DEPARTMENT**—An increase of \$19,932.50 is recommended for this department over the figures as submitted by the Mayor in order to allow sufficient personnel for the maintenance of all present fire stations. Your committee has interviewed the head of the fire department as well as the members of the Board of Safety and concurred in their recommendations that it would be a serious mistake at this time when the matter of insurance ratings are under consideration by the National Board of Fire Underwriters for the City to attempt to curtail fire protection activities. In the fire department your committee has followed closely the recommendations of the fire chief.

**DEPARTMENT OF PUBLIC SAFETY - POLICE DEPARTMENT**—While a reduction of \$27,728.75 is recommended from the figures submitted by the Mayor for the police department the total personnel is reduced only four—the biggest reduction being in the matter of the equipment. A total of \$24,000.00 is cut on this one item, it being anticipated by the Council that new equipment for the police department would be secured by means of a bond issue. Your committee has gone very carefully in the matter of the police personnel and their salaries and has followed closely the recommendations of the Chief. Your committee has decided unanimously that there could be no reduction in the salaries of our traffic men, therefore, we have recommended a total of 147 first grade patrolmen which will include 70 traffic men, 12 motorcycle men, 50 motor policemen, 12 wagonmen and three turnkeys. Your committee feels very strongly that the services these men give the City does not warrant a decrease in pay at this time. The elimination of the three Inspectorships and the rating of the executive heads in military fashion, as provided in our

recommendation, will, we are informed by the Chief, give him better control over the department and make for greater harmony by all concerned.

**GAMEWELL DIVISION**—The only change recommended in this department is the elimination of one assistant foreman at \$2,182.50 which was not requested by the head of the department.

**WEIGHTS AND MEASURES DEPARTMENT**—No change.

**DOG POUND**—No change.

**MARKET HOUSE**—Your committee has seen fit to recommend a reduction of \$4500.00 from the \$5,000.00 amount recommended by the Mayor for repairs to the City Market building. Your committee believes the expenditure of this sum on a building as old as the present structure would be false economy.

**BUILDING DEPARTMENT**—An increase of \$6,870.00 is recommended in the building department over the figures submitted by the Mayor. This increase is due to a decision of your committee to follow the present City Code in the matter of salaries for the personnel of this department. The building department is on a self-sustaining basis and your committee feels that it would be violating the spirit as well as the letter of the City Code not to allow the salaries as provided by City Law.

#### ESTIMATED VALUATION \$653,000,000.00

	Mayor's Figures	Council's Figures
Tax Levy of \$.5675 -----	\$3,705,775.00	.56 = \$3,656,800.00
Estimated License and Fees ----	500,000.00	500,000.00
Estimated Revenues from		
Poll Tax -----	30,000.00	30,000.00
Total Revenues -----	\$4,235,775.00	\$4,186,800.00
Total of General Fund Expenses: \$4,249,461.00		\$4,200,519.25
Less:		
Flood Prevention \$10,000.00		
Police and Fire		
Dept., Salaries		
Forfeitures ---- 4,000.00	14,000.00	14,000.00
General Fund Net Expense ---	\$4,235,461.00	\$4,186,519.25
Total Revenues -----	\$4,235,775.00	\$4,186,800.00
Net Expenses -----	4,235,461.00	4,186,519.25
<b>BALANCE -----</b>	<b>\$ 314.00</b>	<b>\$ 280.75</b>

Your committee has given a great deal of time, thought and study to its recommendations and it wishes to state emphatically that it was not ruled by personal jealousies nor a desire to handicap or curtail the activities of any City department. However, we were reliably informed that after the estimates were submitted by the various departments the City Comptroller did not see fit to call in the heads of those departments before making his recommendations to the Mayor and likewise the Mayor to the Council but on the other hand consulted

outside sources who were not familiar with the intricate activities of the City government. Your committee, however, in considering the Budget has at all times been in close touch with the executive heads of the City departments and has done what it believes to be the best thing for everyone concerned including the taxpayers of the City whose interests have been kept in mind at all times.

Respectively submitted,

OTIS E. BARTHOLOMEW, Chairman  
AUSTIN H. TODD  
MILLARD W. FERGUSON  
WALTER R. DORSETT  
O. RAY ALBERTSON.

Indianapolis, Ind., Sept. 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee to whom was referred General Ordinance No. 64, 1926, setting the 1927 Tax Levies at a total of \$1.04 on the \$100.00 valuation, beg leave to report that we have had said ordinance under consideration, and recommend that same be passed as now amended.

WALTER R. DORSETT, Chairman  
AUSTIN E. TODD  
OTIS E. BARTHOLOMEW  
O. RAY ALBERTSON  
M. W. FERGUSON.

Indianapolis, Ind., Sept. 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee to whom was referred Appropriation Ordinance No. 3, 1926, setting out the 1927 City General Budget, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed when amended as per the recommendations of your Committee.

OTIS E. BARTHOLOMEW, Chairman  
AUSTIN H. TODD  
MILLARD W. FERGUSON  
WALTER R. DORSETT  
O. RAY ALBERTSON.

Indianapolis, Ind., Sept. 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare, to whom

was referred General Ordinance No. 62, 1926, Amending Zoning Ordinance, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW, Chairman  
WALTER R. DORSETT  
AUSTIN H. TODD  
ROBT. E. SPRINGSEEN.

Indianapolis, Ind., Sept. 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana*

Gentlemen—We, your Special Committee, to whom was referred General Ordinance No. 61, 1926, providing for a Temporary Loan of \$350,000.00, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

M. W. FERGUSON, Chairman  
WALTER R. DORSETT  
AUSTIN H. TODD  
OTIS E. BARTHOLOMEW.

Indianapolis, Ind., Sept. 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana*

Gentlemen—We, your Special Committee, to whom was referred Appropriation Ordinance No. 4, 1926, providing for Street Repairs from the Gasoline Tax Fund, beg leave to report that we have had said ordinance under consideration, and recommend that your Committee be given more time.

Indianapolis, Ind., Sept. 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana*

Gentlemen—We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 5, 1926, providing for Bridge Repairs out of the Gasoline Tax Fund, beg leave to report that we have had said ordinance under consideration, and recommend that the same be given more time.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By the City Controller:

### GENERAL ORDINANCE NO. 65, 1926.

AN ORDINANCE, transferring the sum of One Thousand (\$1000.00) Dollars from Department of Public Safety, Fire Department, Fund No. 44, General Materials, and Two Thousand (\$2000.00) Dollars from Department of Public Safety, Fire Department Fund No. 72, Equipment, and reappropriating the same to Department of Public Safety, Fire Department Fund No. 33,



Garage and Motor, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of One Thousand (\$1000.00) Dollars from Department of Public Safety, Fire Department Fund No. 44, General Materials, and Two Thousand (\$2000.00) Dollars from Department of Public Safety, Fire Department Fund No. 72, be and the same is hereby now transferred and reappropriated to Department of Public Safety, Fire Department Fund No. 33, Garage and Motor.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Finance Committee:

By the City Controller:

GENERAL ORDINANCE NO. 66, 1926.

AN ORDINANCE, transferring the sum of One Thousand (\$1000 00) Dollars from the Department of Public Safety, Police Department, Fund No. 26, Other Contractual, and reappropriating the same to Department of Public Safety, Police Department, Fund No. 38, General Supplies, and fixing a time when the same shall take effect.

*Be It Ordained by the Common Council of the City of Indianapolis, Indianas*

Section 1. That the sum of One Thousand \$(1000.00) Dollars be and the same is hereby now transferred and reappropriated from Department of Public Safety, Police Department, Fund No. 26, Other Contractual, to Department of Public Safety, Police Department, Fund No. 33, General Supplies.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Finance Committee:

By the City Controller:

GENERAL ORDINANCE NO. 67, 1926.

AN ORDINANCE, transferring the sum of Eighty-two (\$82.25) Dollars and Twenty-Five Cents, from the Department of Public Safety, Gamewell Division, Fund No. 24, Printing and Advertising, Three Hundred and Fifty (\$350.00) Dollars from Department of Public Safety, Gamewell Division, Fund No. 44, Gener-

al Materials, Three Hundred and Fifty (\$350.00) Dollars from Department of Public Safety, Gamewell Division, Fund No. 45, Repairs, and reappropriating the same to Department of Public Safety, Gamewell Division, Fund No. 33, Garage and Motor, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sums of Eighty-Two (\$82.25) Dollars and Twenty-five Cents from Department of Public Safety, Gamewell Division, Fund No. 24, Printing and Advertising, Three Hundred and Fifty (\$350.00) Dollars from Department of Public Safety, Gamewell Division, Fund No. 44, General Materials, and the sum of Three Hundred and Fifty (\$350.00) Dollars from Department of Public Safety, Gamewell Division, Fund No. 45, Repairs, be and the same is hereby transferred and reappropriated to Department of Public Safety, Gamewell Division, Fund No. 33, Garage and Motor.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Finance Committee:

By the City Controller:

GENERAL ORDINANCE NO. 68, 1926.

AN ORDINANCE, transferring the sum of Two Hundred and Fifty (\$250.00) Dollars in the Department of Public Safety, Building Department, from Fund No. 24, Printing and Advertising, and reappropriating the same to the Department of Public Safety, Building Department, Fund No. 36, Office Supplies, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Hundred and Fifty (\$250.00) Dollars be and the same is now hereby transferred and reappropriated from Department of Public Safety, Building Department, Fund No. 24, Printing and Advertising, to Department of Public Safety, Building Department, Fund No. 36, Office Supplies.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Finance Committee:

By the City Controller:

GENERAL ORDINANCE NO. 69, 1926.

AN ORDINANCE, Transferring and reappropriating the sum of Two

Hundred Sixty-Six Dollars and Seventy Cents, (\$266.70) in the Board of Public Safety, Fire Prevention, Properties Fund No. 7, to the Board of Public Safety, Fire Prevention, Office and Supplies Fund No. 36, declaring an emergency and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Hundred Sixty-Six Dollars and Seventy Cents (\$266.70) be and the same is now hereby transferred from the Board of Public Safety, Fire Prevention, Properties Fund No. 7, and reappropriated to the Board of Public Safety, Fire Prevention, Office and Supplies Fund No. 36.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Finance Committee:

By the City Controller:

GENERAL ORDINANCE NO. 70, 1926.

AN ORDINANCE, transferring the sum of Five Hundred (\$500.00) Dollars from Fund No. 72, (Equipment) in the City Civil Engineer Department to Fund No. 36, (Office Supplies) in the City Civil Engineer Department all under the Board of Public Works of the City of Indianapolis, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Five Hundred (\$500.00) Dollars be and the same is hereby now transferred and reappropriated from Fund No. 72, (Equipment) to Fund No. 36, (Office Supplies) all in the City Civil Engineer Department under the Board of Public Works of the City of Indianapolis.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Finance Committee:

By the City Controller:

GENERAL ORDINANCE NO. 71, 1926.

AN ORDINANCE, transferring the sum of Thirty-Five Hundred (\$3500.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 33, Garage and Motor, and reappropriating the same to Board of Public Works, Municipal Garage Fund No.

22, Heat, Light, Power and Water, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Thirty-Five Hundred (\$3500.00) Dollars be and the same is now hereby transferred and reappropriated from Board of Public Works, Municipal Garage Fund No. 33, Garage and Motor, to Board of Public Works, Municipal Garage Fund No. 22, Heat, Light, Power and Water.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Finance Committee:

By the City Controller:

GENERAL ORDINANCE NO. 72, 1926.

AN ORDINANCE, transferring the sum of One Thousand (\$1000.00) Dollars from Board of Public Works, Municipal Garage Fund No. 25, Repairs, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 45, Repair Parts, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of One Thousand (\$1000.00) Dollars be and the same is now hereby transferred and reappropriated from the Board of Public Works, Municipal Garage Fund No. 25, Repairs, to Board of Public Works, Municipal Garage Fund No. 45, Repair Parts.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Finance Committee:

By the Park Commissioners:

SPECIAL ORDINANCE NO. 4, 1926.

AN ORDINANCE, authorizing the sale, alienation and conveyance of real estate by the Board of Park Commissioners of the Department of Public Parks, of the City of Indianapolis, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the Board of Park Commissioners is hereby



authorized to sell, alienate and convey for cash, at public or private sale, for not less than the appraised value which value is to be hereinafter determined by appraisers appointed by the Judge of the Circuit Court of Marion County, Indiana, as required by law, of the following described real estate in Indianapolis, Marion County, Indiana to-wit:

The South half of Lot No. (24) Twenty-four, of Marion Highlands, an addition to the City of Indianapolis, Indiana. That said real estate shall be sold at public or private sale upon such notice or notices as the Board of Park Commissioners may determine.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Finance Committee:

#### CALL FOR ORDINANCES ON SECOND READING

On motion of Mr. Albertson, seconded by Mr. Bartholomew, General Ordinance No. 64 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 64 was read a third time and passed unanimously by the Council.

Mr. Bartholomew called for Appropriation Ordinance No. 3 for second reading. It was read a second time.

Mr. Bartholomew presented the following written motion to amend Appropriation Ordinance No. 3:

Indianapolis, Ind., Sept. 4, 1926.

*Mr. President:*

I move that Appropriation Ordinance No. 3, 1926, be amended to read as follows:

#### APPROPRIATION ORDINANCE NO. 3, 1926.

##### As Amended

AN ORDINANCE, APPROPRIATING monies for the purpose of defraying current expenses of the City Government of the City of Indianapolis, Indiana, and for the use of the several executive departments thereof, for the fiscal year, beginning January 1st, 1927, and ending December 31st, 1927, including all outstanding claims and obligations and fixing a time when the same shall take effect. Repealing all General, Special Appropriation and other Ordinances in any manner in conflict.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and is hereby appropriated out of the

funds of the City of Indianapolis, Indiana, for the purpose of defraying expenses of said City and for the use of the several departments thereof, for the fiscal year, beginning January 1st, 1927, and ending December 31st, 1927, including all outstanding claims and obligations existing on the first day of said fiscal year for the following sums of money for the different departments of said City and for the several purposes are hereinafter set forth:—

ORGANIZATION UNIT: OFFICE OF MAYOR  
OFFICE OF MAYOR.

1. Services - Personal			
11. Salaries and Wages, Regular			
Mayor @ -----	\$7,500.00	\$	7,500.00
Secretary @ -----	2,000.00		2,000.00
2. Service - Contractual			
21. Communication and Transportation			
212 Postage -----	25.00		
214 Telegraph and Telephone ----	175.00		200.00
25. Repairs -----			25.00
3. Supplies			
36. Office -----			200.00
<hr/>			
Total: Office of Mayor -----	\$		9,925.00

ORGANIZATION UNIT: CITY CLERK

CITY CLERK.

1. Services - Personal			
11. Salaries and Wages, Regular			
1. City Clerk @ -----	\$3,000.00	\$	3,000.00
1. Deputy City Clerk -----	1,500.00		1,500.00
2. Service - Contractual			
21. Communication and Transportation			275.00
24. Printing and Advertising -----			3,500.00
25. Repairs -----			350.00
3. Supplies			
36. Office -----			300.00
<hr/>			
Total: City Clerk -----	\$		8,925.00

ORGANIZATION UNIT: COMMON COUNCIL  
COMMON COUNCIL.

1. Services - Personal			
11. Salaries and Wages, Regular			
9 Councilmen @ -----	\$ 600.00	\$	5,400.00
1 Sergeant-at-arms @ -----	400.00		400.00
1 Secretary of Committee -----	240.00		240.00
3. Supplies			
36. Office -----			100.00
<hr/>			
Total: Common Council -----	\$		6,140.00

DEPARTMENT: FINANCE

ORGANIZATION UNIT: CITY CONTROLLER

1. Services - Personal

11.	Salaries and Wages, Regular		
	Controller -----	\$	4,000.00
	Deputy Controller -----		2,500.00
	Bookkeeper -----		2,400.00
	License Clerk -----		1,800.00
	Stenographers, 2 @ -----	\$1,200.00	2,400.00
	Sinking Fund Commissioners 2 @	100.00	200.00
	Ass't Sec'y Athletic Commission --		400.00
	Clerk @ -----	600.00	600.00
	Stenographer @ -----	1,500.00	1,500.00
2.	Service - Contractual		
21.	Communication and Transportation		
	211. Freight, Express and Drayage --\$	10.00	
	212. Postage -----	300.00	
	214. Telephone and Telegraph -----	153.00	
	216. Tavelinig Expenses -----	500.00	
	Total Item No. 21 -----		963.00
24.	Printing and Advertising -----		500.00
25.	Repairs -----		50.00
3.	Supplies		
36.	Office -----		5,000.00
5.	Current Charges		
	51. Insurance and Premiums -----		1,250.00
	53. Refunds, Awards and Indemnities --		200.00
	55. Subscriptions and Dues -----		10.00
6.	Current Obligations		
	61. Interest -----		182,000.00
	62. Grants and Subsidies -----		10,150.00
7.	Properties		
	72. Equipment -----		50.00
Total: City Controller -----			\$215,973.00

## ORGANIZATION UNIT: PUBLIC PURCHASE

## PUBLIC PURCHASE DEPARTMENT.

1.	Services - Personal		
11.	Salaries and Wages, Regular		
	1 Purchasing Agent @ -----	\$	5,000.00
	1 Ass't Purchasing Agent @ -----		2,000.00
	1 Clerk @ -----		1,800.00
	1 Inspector and Storekeeper @ --		1,800.00
	1 Bookkeeper @ -----		1,200.00
	1 Stenographer @ -----		1,020.00
	1 Clerk @ -----		900.00
	1 Clerk @ -----		900.00
2.	Service - Contractual		
	21. Communication and Transportation		550.00
	24. Printing and Advertising -----		500.00
	25. Repair of Equipment -----		25.00
3.	Supplies		
	36. Office Supplies -----		600.00
5.	Current Charges		
	55. Subscription and Dues -----		10.00

7. Properties	
72. Equipment -----	250.00
Total: Public Purchase -----	\$ 16,105.00

## ORGANIZATION UNIT: BARRETT LAW DIVISION

## BARRETT LAW DIVISION.

1. Services - Personal	
11. Salaries and Wages, Regular	
1 Bookkeeper -----	1,800.00
1 Clerk -----	1,800.00
3 Clerks @ -----	\$1,500.00 4,500.00
1 Ass't Bookkeeper -----	1,500.00
1 Stenographer -----	1,080.00
2. Service - Contractual	
21. Communication and Transportation	400.00
24. Printing and Advertising -----	300.00
25. Repairs -----	100.00
3. Supplies	
36. Office -----	2,250.00
7. Properties - - - - -	
72. Equipment -----	500.00
Total: Barrett Law Division -----	\$ 14,230.00

## ORGANIZATION UNIT: CITY PLAN COMMISSION

## CITY PLAN COMMISSION.

1. Services - Personal	
11. Salaries and Wages, Regular	
1 Engineer @ -----	\$3,000.00 \$ 3,000.00
1 Secretary @ -----	1,800.00 1,800.00
4 Dreftsmen @ -----	1,800.00 7,200.00
12. Temporary Salaries and Wages --	200.00
13. Other Compensation -----	5,566.20
2. Service - Contractual	
21. Communication and Transportation	250.00
24. Printing and Advertising -----	500.00
25. Repairs -----	25.00
3. Supplies	
33. Auto - Gas and Supplies -----	300.00
36. Office -----	600.00
5. Current Charges	
55. Dues, etc. -----	50.00
7. Properties	
721. Furniture and Fixtures -----	50.00
Total: City Plan Commission -----	\$ 19,541.20



## ORGANIZATION UNIT:

## DEPARTMENT OF LAW

1. Services - Personal		
11. Salaries and Wages, Regular		
1 Corporation Counsel -----	\$	5,000.00
1 City Attorney -----		4,000.00
1 Ass't City Attorney -----		2,500.00
1 Deputy Prosecutor -----		1,800.00
1 Claim Agent -----		1,200.00
1 Stenographer -----		1,320.00
1 Stenographer -----		1,200.00
2. Service - Contractual		
21. Communication and Transportation		75.00
24. Printing and Advertising -----		50.00
25. Repairs -----		25.00
3. Supplies		
36 Office -----		225.00
5. Current Charges		
53. Refunds, Awards and Indemnities _		9,000.00
55. Subscriptions and Dues -----		10.00
7. Properties		
72. Equipment -----		200.00
Total: Department of Law -----		\$ 26,605.00

## DEPARTMENT: BOARD OF WORKS

## ORGANIZATION UNIT: ADMINISTRATION

## ADMINISTRATION:

1. Services - Personal		
11. Salaries and Wages, Regular		
1 President @ -----	\$3,000.00	\$ 3,000.00
2 Members @ -----	2,500.00	5,000.00
1 Clerk @ -----	1,500.00	1,500.00
1 Stenographic Clerk @ -----	1,800.00	1,800.00
1 Assistant Clerk @ -----	1,200.00	1,200.00
1 Record Clerk @ -----	1,200.00	1,200.00
1 Bond Clerk @ -----	1,800.00	1,800.00
13. Other Compensations -----		1,200.00
2. Service - Contractual		
21. Communication and Transportation		5,500.00
22. Heat, Light, Power and Water ---		660,000.00
24. Printing and Advertising -----		10,000.00
25. Repairs -----		50.00
26. Services - Other Contractual ----		40,000.00
3. Supplies		
36. Office -----		1,000.00
5. Current Charges		
51. Insurance and Premiums -----		2,800.00

53. Refunds, Awards and Indemnities _	12,000.00
54. Rents and Leases _ _ _ _ _	2,000.00
7. Properties	
72. Equipment _ _ _ _ _	150.00
Total: Administration _ _ _ _ _	\$750,200.00

## DEPARTMENT

## ORGANIZATION UNIT: PUBLIC BUILDINGS

## PUBLIC BUILDINGS.

## 1. Services - Personal

## 11. Salaries and Wages, Regular

1 Custodian at City Hall @ _ _ _ _ _	\$1,800.00	\$ 1,800.00
2 Firemen at City Hall @ _ _ _ _ _	1,200.00	2,400.00
2 Elevator Operators @ _ _ _ _ _	1,200.00	2,400.00
1 Night Watchman, City Hall @ _	1,080.00	1,080.00
2 Telephone Operators @ _ _ _ _ _	960.00	1,920.00
6 Janitors, City Hall @ _ _ _ _ _	1,080.00	6,480.00
2 Janitors at Tomlinson Hall @ _ _	960.00	1,920.00
2 Attendants, Comfort Station @ _	840.00	1,680.00
2 Matrons, Comfort Station @ _ _	720.00	1,440.00

## 2. Services - Contractual

21. Communication and Transportation	25.00
22. Heat, Light, Power and Water _ _ _	12,000.00
25. Repairs _ _ _ _ _	4,000.00
26. Other Contractual _ _ _ _ _	400.00

## 3. Supplies

32. Fuel and Ice _ _ _ _ _	2,000.00
34. Institutional and Medical _ _ _ _ _	1,000.00
38. Supplies General _ _ _ _ _	200.00

## 4. Materials

41. Building _ _ _ _ _	500.00
45. Repair Parts _ _ _ _ _	100.00

## 7. Properties

72. Equipment _ _ _ _ _	800.00
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Total: \_ \_ \_ \_ \_ \$ 42,145.00

## DEPARTMENT: BOARD OF WORKS

## ORGANIZATION UNIT: CITY CIVIL ENGINEER

## CITY CIVIL ENGINEER

## 1. Services - Personal

## 11-1. Salaries - Wages, Regular

1 City Civil Engineer @ _ _ _ _ _	\$3,500.00	\$ 3,500.00
1 Ass't Civil Engineer @ _ _ _ _ _	3,600.00	3,600.00
2 Ass't Civil Engineers @ _ _ _ _ _	2,400.00	4,800.00
2 Junior Ass't Engineers @ _ _ _ _ _	2,160.00	4,320.00
2 Senior Office Aids @ _ _ _ _ _	1,800.00	3,600.00
2 Office Aids @ _ _ _ _ _	1,500.00	3,000.00

4 Junior Office Aids @ -----	1,320.00	5,280.00
Senior Draftsman @ -----	1,320.00	1,320.00
Junior Draftsman @ -----	1,200.00	1,200.00
4 Senior Field Aids @ -----	1,800.00	7,200.00
1 Field Aid @ -----	1,500.00	1,500.00
12 Junior Field Aids @ -----	1,200.00	14,400.00
1 Chief Clerk @ -----	2,100.00	2,100.00
1 Ass't Clerk @ -----	1,500.00	1,500.00
1 Junior Clerk @ -----	1,200.00	1,200.00
11-2. Flood Prevention Department		
1 Junior Ass't Engineer @ -----	2,160.00	2,160.00
1 Senior Office Aid @ -----	1,800.00	1,800.00
1 Junior Office Aid @ -----	1,320.00	1,320.00
1 Senior Field Aid @ -----	1,800.00	1,800.00
3 Junior Field Aids @ -----	1,200.00	3,600.00
1 Senior Inspector @ -----	1,500.00	1,500.00
11-3. C. C. E. O. Inspectors		
1 Chief Inspector @ -----	2,000.00	2,000.00
2 Senior Inspectors @ -----	1,800.00	3,600.00
2 Inspectors - Regular @ -----	1,320.00	2,640.00
29 Junior Inspectors (7 mos.) @ --	1,375.00	25,375.00
1 Stenographer @ -----	1,200.00	1,200.00
11-4. Laboratory Department		
1 Chemical Engineer @ -----	3,600.00	3,600.00
1 Ass't Chemical Engineer @ -----	1,800.00	1,800.00
1 Sr. Ass't Chemical Engineer @ -	1,400.00	1,400.00
1 Jr. Ass't Chemical Engineer @	1,320.00	1,320.00
1 Junior Inspector (6 mos.) @ ---	600.00	600.00
11-5. Asphalt Plant Department		
1 Plant Superintendent @ -----	2,000.00	2,000.00

## DEPARTMENT: BOARD OF WORKS

## ORGANIZATION UNIT: CITY CIVIL ENGINEER

## CITY CIVIL ENGINEER:

## 1. Services—Personal (Continued)

## 11-6. Asphalt Street Repair

2 Foreman (Regular) @ -----	\$1,500.00	\$3,000.00
2 Foreman (Temporary) @ -----	1,320.00	1,320.00

## 11-7. Brick and Block Dept.

1 Foreman @ -----	1,500.00	1,500.00
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## 11-8. Cement Walk and Curb Dept.

1 Foreman @ -----	1,320.00	1,320.00
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## 11-9. Street Lighting Dept.

1 Superintendent @ -----	1,620.00	1,620.00
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## 12. Salaries and Wages (Temporary):

## 12-2. Street Repair

2 Rollermen @ 60c per hr. -----	1,680.00	1,680.00
4 Truck Drivers @ 60c per hr. ---	3,360.00	3,360.00
4 Markers @ 55c per hr. -----	3,080.00	3,080.00

6 Rakers @ 60c per hr. ....	5,040.00	5,040.00
6 Tampers @ 55c per hr. ....	4,620.00	4,620.00
4 Shovelers @ 55c per hr. ....	3,360.00	3,360.00
28. Laborers @ 45c per hr. ....	17,640.00	17,640.00
2 Watchmen @ \$2.50 per night ..	1,085.00	1,085.00
12-3. Brick and Block Dept.:		
10 Laborers @ 45c per hr. ....	6,300.00	6,300.00
12-4. Cement Walk and Curb Dept.:		
1. Finisher @ 70c per hr. ....	980.00	980.00
6. Laborers @ 45c per hr. ....	3,794.00	3,794.00
2. Services—Contractual		
21. Communication and Transportation .....	10,000.00	
24. Printing and Advertising .....	700.00	
25. Repairs .....	1,000.00	
3. Supplies		
32. Fuel and Ice .....	2,000.00	
33. Garage and Motor Supplies .....	300.00	
35. Laboratory Supplies .....	300.00	
36. Office Supplies .....	2,000.00	
38. General Supplies .....	750.00	
4. Materials		
41. Building Materials .....	50.00	
43. Street and Alley Materials .....	2,000.00	
44. General Materials .....	500.00	
45. Repair Parts .....	100.00	
7. Properties		
72. Equipment .....	1,000.00	
Grand Total of All Accounts .....	\$196,634.00	

## ORGANIZATION UNIT: ASSESSMENT BUREAU

1. Personal Service		
11. Salaries and Wages, Regular		
1 Transfer Clerk @ \$1,200.00 .....	\$1,200.00	
4 Junior Clerks @ \$1,200.00 .....	4,800.00	
2. Services—Contractual		
21. Communication and Transportation .....	150.00	
24. Printing and Advertising .....	100.00	
25. Repairs: .....	50.00	
3. Supplies		
36. Office .....	150.00	
7. Properties		
72. Equipment .....	300.00	
Grand Total .....	\$6,750.00	

## DEPARTMENT: BOARD PUBLIC WORKS

## ORGANIZATION UNIT: MUNICIPAL GARAGE

## MUNICIPAL GARAGE

## 1. Services (Personal—Regular):



11.	Salaries and Wages, Regular		
1	Superintendent @	\$3,000.00	\$3,000.00
1	Foreman @	2,400.00	2,400.00
1	Clerk-Stenographer @	1,200.00	1,200.00
1	Night Mechanic & Watchman @	1,500.00	1,500.00
12.	Salaries and Wages (Temporary):		22,500.00
2.	Service - Contractual		
21.	Communication and Transportation		200.00
22.	Heat, Light, Power and Water		1,000.00
25.	Repairs		2,000.00
26.	Other Contractual		6,000.00
3.	Supplies:		
32.	Fuel and Ice		50.00
33.	Garage and Motor Supplies		21,500.00
36.	Office Supplies		25.00
4.	Materials:		
45.	Repair Parts		5,500.00
7.	Properties:		
72.	Equipment		3,000.00
Grand Total Garage			\$69,875.00

DEPARTMENT: BOARD PUBLIC WORKS

ORGANIZATION UNIT: DEPT. PUBLIC SERVICE

STREET COMMISSIONER

## STREET COMMISSIONER

## 1. Personal Service:

## 11. Salaries and Wages, Regular

## 11-1. Office Administration

1	Commissioner @	\$3,000.00	\$3,000.00
1	Chief Clerk @	1,680.00	1,680.00
1	Timekeeper @	1,500.00	1,500.00
1	Clerk-Typist @	1,000.00	1,000.00

## 11-2. Sewer Department

1	Asst. Commissioner @	2,000.00	2,000.00
1	Inspector @	1,320.00	1,320.00
3	Foreman @	1,320.00	3,960.00

## 11-3. Improved Streets Dept.

3	Foremen @	1,320.00	3,960.00
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## 11-4. City Yards Dept.

1	Foreman @	1,320.00	1,320.00
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## 11-5. Street Cleaning Dept.

4	Inspectors @	1,500.00	6,000.00
1	Barn Foreman @	1,320.00	1,320.00

## 12-1. Sewer Department

2	Eductor Men @ 60c per hr.		2,808.00
4	Eductor Helpers @ 50c per hr.		4,680.00
3	Emergency Drivers @ 55c per hr.		3,861.00
3	Basin Truck Drivers @ 55c per hr.		3,861.00

12 Laborers @ 50c per hr.	10,030.00
1 Dump Man @ \$4.00 per week	208.00
12-2. Unimproved Street Department	
4 Heavy Truck Drivers @ 60c per hr.	4,216.00
4 Heavy Truck Helpers @ 50c per hr.	3,480.00
6 Light Truck Drivers @ 55c per hr.	5,794.00
3 Tractor Drivers @ 55c per hr.	1,312.50
4 Grader Men @ 55c per hr.	1,750.00
8 Laborers @ 50c per hr.	4,896.80
12-3. City Yards	
1 Watchman @ \$21.00 per week	1,092.00
1 Red Light Man @ \$21.00 per week	1,092.00
2 Emergency Men @ 50c per hr.	2,914.00
1 Laborer at 50c per hr.	1,456.00
1 Blacksmith @ 65c per hr.	1,521.00
1 Blacksmith Helper @ 50c per hr.	1,170.00
12-4. Carpenter Department	
1 Foreman @ \$1.25 per hr.	2,892.50
2 Carpenters @ \$1.15 per hr.	5,322.20
2 Laborers @ 50c per hr.	2,340.00
1 Truck Driver @ 55c per hr.	1,287.00
1 Painter @ \$1.10 per hr.	2,516.80
Adjustment 1926 Union Wage Scale	641.50
12-5. Weed Cutting Department	
12 Laborers @ 45c and 50c	1,000.00
12-6. Sprinkling Road Oil	
3 Heavy Truck Drivers @ 60c per hr.	900.00
3 Heavy Truck Helpers @ 50c per hr.	750.00
1 Oil House Man @ 50c per hr.	350.00
12-7. Street Cleaning Department:	
1 Truck Foreman @ 65c per hr.	1,800.00
18 Teamsters @ 50c per hr.	12,916.00
170 Laborers @ 45c per hr.	51,000.00
7 Light Truck Drivers @ 55c per hr.	8,000.00
6 Flusher Drivers @ 60c per hr.	6,250.00
5 Truck Helpers @ 50c per hr.	5,000.00
3 Dump Men at \$4.00 per week	624.00
3 Stablemen @ 50c per hr.	4,368.00
1 Blacksmith @ 65c per hr.	1,521.00
1 Horseshoer @ 65c per hr.	1,521.00
2. Services - Contractual	
21. Communication and Transportation	4,137.00
22. Heat, Light, Power and Water	450.00
24. Printing and Advertising	25.00
25. Repairs	2,500.00
3. Supplies	
32. Fuel and Ice	1,500.00
33. Garage and Motor	1,500.00
36. Office	250.00
38. General Supplies	10,000.00
4. Materials	
42. Sewer Materials	5,500.00

43.	Street and Alley Materials	12,000.00
44.	General Materials	250.00
45.	Repair Parts	2,000.00
5.	Current Charges	
54.	Rents and Taxes	900.00
7.	Properties	
71.	Buildings, Structures and Improvements	2,590.00
72.	Equipment	1,700.00
Total Street Commissioner		\$239,504.30

## DEPARTMENT: BOARD OF PUBLIC SAFETY

## ORGANIZATION UNIT: ADMINISTRATION

1.	Services - Personal	
11.	Salaries and Wages, Regular	
3	Commissioners @ \$1,200.00	\$3,600.00
1	Secretary	2,500.00
1	Bookkeeper	2,000.00
	Stenographer	1,500.00
1	Surgeon	1,600.00
13.	Other Compensations	1,120.00
2.	Services - Contractual	
21.	Communication and Transportation	30.00
25.	Repairs	25.00
26.	Services, other Contractual	200.00
3.	Supplies	
36.	Office	400.00
7.	Properties	
72.	Equipment	100.00
Total Board of Safety, Administration		\$13,075.00

## DEPARTMENT: BOARD OF SAFETY

## ORGANIZATION UNIT: FIRE DEPARTMENT

## FIRE DEPARTMENT

1.	Services - Personal		
11.	Salaries and Wages, Regular		
1	Chief @	\$4,000.00	\$4,000.00
2	First Ass't Chiefs @	3,182.50	6,365.00
1	Second Ass't Chief @	3,062.50	3,062.50
1	Secretary @	2,582.50	2,582.50
10	Battalion Chiefs @	2,582.50	25,825.00
1	Secretary @	2,582.50	2,582.50
2	Aides to Chief (Lieut.) @	2,182.50	4,365.00
10	Aides to Batt. Chiefs (Chauf) @	1,982.50	19,825.00
43	Captains @	2,382.50	102,447.50
70	Lieutenants @	2,182.50	152,775.00
4	Engineers @	1,982.50	7,930.00
103	Chauffeurs @	1,982.50	204,197.50
303	1st Grade Men @	1,916.25	580,623.75
46	1st Grade Substitutes @	1,916.25	88,147.50

10	2nd Grade Substitutes @	1,733.50	17,335.00
1	Stenographer @	1,500.00	1,500.00
1	Ass't Secretary @	1,800.00	1,800.00
13.	Other Compensation		
2.	Service - Contractual		
21.	Communication and Transportation		6,000.00
22.	Heat, Light and Power		4,500.00
24.	Printing and Advertising		200.00
25.	Repairs		6,000.00
26.	Other Contractual		25.00
3.	Supplies		
32.	Fuel and Ice		8,500.00
33.	Garage and Motor		16,000.00
34.	Institutional and Medical		2,000.00
36.	Office Supplies		800.00
38.	General Supplies		3,500.00
4.	Materials		
41.	Building		4,000.00
44.	General Materials		2,500.00
45.	Repair Parts		7,000.00
5.	Current Charges		
55.	Subscriptions and Dues		8.00
7.	Properties		
72.	Equipment		5,000.00
Total: Fire Department			\$1,288,804.25

## ORGANIZATION UNIT: POLICE DEPARTMENT

## DEPARTMENT: BOARD OF SAFETY

## POLICE DEPARTMENT.

1.	Services - Personal		
11.	Salaries and Wages, Regular		
1	Chief of Police @	\$4,000.00	\$ 4,000.00
1	Chief of Detectives @	3,600.00	3,600.00
1	Major of Police @	3,400.00	3,400.00
1	Captain of Traffic @	3,300.00	3,300.00
4	Captains @	2,582.50	10,330.00
12	Lieutenants @	2,382.50	28,590.00
32	Sergeants @	2,182.50	69,840.00
55	Detective Sergeants @	2,182.50	120,037.50
147	Patrolmen 1st Grade as @	1,982.50	291,427.50
	designated below:		
	70 Traffic Men		
	12 Motorcycle Men		
	50 Motor Policemen		
	12 Wagonmen		
	3 Turnkeys		
250	Patrolmen, 2nd Grade @	1,916.25	479,062.50
2	Court Bailiffs @	2,182.50	4,365.00
2	Ass't Court Bailiffs @	1,916.25	3,832.50
1	Probation Officer @	2,182.50	2,182.50
5	2nd Year Women Patrolmen @	1,916.25	9,581.25



1	Secretary @ -----	2,582.50	2,582.50
4	Traffic Repairmen @ -----	1,320.00	5,280.00
1	Hostler @ -----	1,200.00	1,200.00
7	Janitors @ -----	1,080.00	7,560.00
4	Stenographic Clerks @ -----	1,200.00	4,800.00
13.	Other Compensations -----		500.00
2.	Services - Contractual		
21.	Communication and Transportation -----		6,383.00
22.	Heat, Light and Power -----		11,000.00
24.	Printing and Advertising -----		350.00
25.	Repairs -----		5,000.00
26.	Other Contractual -----		4,869.00
3.	Supplies		
32.	Fuel and Ice -----		350.00
33.	Garage and Motor -----		19,000.00
34.	Institutional and Medical -----		800.00
36.	Office Supplies -----		3,000.00
38.	General Supplies -----		3,110.00
4.	Materials		
41.	Building -----		600.00
44.	General Materials -----		1,200.00
45.	Repair Parts -----		1,500.00
5.	Current Charges		
54.	Rents -----		1,203.00
55.	Subscriptions and Dues -----		20.00
7.	Properties		
72.	Equipment -----		1,000.00
Total: Police Department -----			\$1,114,861.25

## DEPARTMENT: BOARD OF PUBLIC SAFETY

## ORGANIZATION UNIT: GAMEWELL DIVISION

1.	Services - Personal		
11.	Salaries and Wages, Regular		
	Electrical Engineer @ -----	\$	3,600.00
	1 General Foreman @ -----		2,582.50
12	Circuit Repairmen @ -----	\$1,982.50	23,790.00
	1 Fire Alarm Box Inspector @ -----		1,916.25
	1 Groundman @ -----		1,500.00
14	Signal Operators @ -----	1,916.25	26,827.50
2.	Services - Contractual		
21.	Communication and Transportation -----		20.00
24.	Printing and Advertising -----		50.00
25.	Repairs -----		1,000.00
3.	Supplies		
33.	Garage and Motor -----		1,500.00
36.	Office Supplies -----		500.00
38.	General Supplies -----		7,000.00
4.	Material		
44.	General Materials -----		8,000.00

45. Repair Parts -----	1,500.00
7. Properties	
72. Equipment -----	5,000.00
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Ttotal: Gamewell Division -----	\$84,786.25

## DEPARTMENT: PUBLIC SAFETY

## ORGANIZATION UNIT: WEIGHTS AND MEASURES

## WEIGHTS AND MEASURES.

1. Services - Personal		
11. Salaries and Wages, Regular		
1 Chief Inspector @ -----	\$1,800.00	\$ 1,800.00
4 Deputy Inspectors @ -----	1,430.00	5,720.00
2. Services - Contractual		
21. Communication and Transportation		15.00
25. Repairs -----		100.00
3. Supplies		
33. Garage and Motor -----		400.00
36. Office Supplies -----		25.00
4. Materials		
45. Repair Parts -----		100.00
7. Properties		
72. Equipment -----		100.00
<hr/>		
Ttotal: Weights and Measures -----	\$	8,360.00

## DEPARTMENT: BOARD OF SAFETY

## ORGANIZATION UNIT: DOG POUND

## DOG POUND.

1. Services - Personal		
11. Salaries and Wages, Regular		
1 Pound Keeper @ -----	\$1,200.00	\$ 1,200.00
1 Deputy Pound Keeper @ -----	1,020.00	1,020.00
2. Services - Contractual		
21. Communication and Transportation		60.00
22. Heat, Light and Power -----		100.00
25. Repairs -----		500.00
3. Supplies		
31. Food -----		350.00
32. Fuel and Ice -----		250.00
33. Garage and Motor -----		500.00
34. Institutional and Medical -----		300.00
36. Office Supplies -----		125.00
38. General Supplies -----		200.00
4. Materials		
41. Building -----		750.00
45. Repair Parts -----		100.00

## 5. Current Charges

54. Rents -----	360.00
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Ttotal: Dog Pound -----	\$ 5,710.00
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## DEPARTMENT: BOARD OF PUBLIC SAFETY

## ORGANIZATION UNIT: EAST MARKET

## 1. Services - Personal

## 11. Salaries and Wages, Regular

Market Master @ -----		\$ 2,000.00
2 Watchmen @ -----	\$ 900.00	1,800.00
6 Janitors @ -----	960.00	5,760.00
Matron @ -----		240.00
Ass't Market Master @ -----	1,500.00	1,500.00

12. Salaries and Wages - Temporary -----	250.00
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## 2. Services - Contractual

21. Communication and Transportation -----	70.00
22. Heat, Light and Power -----	2,300.00
25. Repairs -----	500.00
26. Services - Other Contractual -----	20.00

## 3. Supplies

32. Fuel and Ice -----	30.00
33. Garage and Motor -----	5.00
34. Institutional -----	150.00
36. Office -----	75.00
38. General Supplies -----	225.00

## 4. Materials

41. Building -----	100.00
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## 7. Properties

72. Equipment -----	15.00
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Total: East Market -----	\$ 15,040.00
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## DEPARTMENT: BOARD OF PUBLIC SAFETY

## ORGANIZATION UNIT: BUILDING DEPARTMENT

## 1. Services - Personal

## 11. Salaries and Wages, Regular

Building Commissioner -----		\$ 4,000.00
Ass't Building Commissioner -----		3,600.00
Plan Examiner -----		3,000.00
Chief Inspector -----		2,750.00
Chief Clerk -----		2,400.00
1st Ass't Clerk -----		2,250.00
2nd Ass't Clerk -----		2,100.00
Bookkeeper -----		1,800.00
Stenographer and Sec'y to Boards -----		1,440.00
5 Buildings Inspectors @ -----	\$2,400.00	12,000.00
Smoke Inspector (Combustion Engineer) -----		3,000.00

Ass't Smoke Inspector -----	2,400.00
Elevator Inspector -----	2,500.00
Chief Sign Inspector -----	2,400.00
Board of Electrical Examiners, 1 Member -----	60.00
Board of Plumbing Examiners 3 Members @ -----	180.00
2. Services - Contractual	
21. Communication and Transportation	50.00
24. Printing and Advertising -----	500.00
25. Repairs -----	50.00
3. Supplies	
36. Office -----	800.00
7. Properties	
72. Equipment -----	50.00
Total: Building Department -----	\$ 47,330.00

GRAND TOTAL FOR ENTIRE BUDGET

AS SET OUT ABOVE -----\$4,200,519.25

Section 2. All General, Special, Appropriation and other ordinances in conflict in any manner are herewith repealed; This Section shall not be in force and effect until on and after January 1st, 1927.

Section 3. This Ordinance shall be in force and effect from and after its passage.

OTIS E. BARTOLOMEW.

The above motion was seconded by Mr. Ferguson and passed unanimously by the Council.

On motion of Mr. Bartholomew, seconded by Dr. Todd, Appropriation Ordinance No. 3, as amended, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 3, as mended, was read a third time and passed unanimously by the Council.

Mr. Bartholomew called for General Ordinance No. 61 for a second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Albertson, General Ordinance No. 61 was ordered engrossed, read a third time and placed upon its passage.



General Ordinance No. 61 was read a third time and passed unanimously by the Council.

Mr. Bartholomew called for General Ordinance No. 62 for a second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Dorsett, General Ordinance No. 62 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 62 was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Springsteen, Todd and President Moore.

Noes, 1, viz.: Mr. Albertson.

On motion of Mr. Dorsett, seconded by Mr. Bartholomew, the Common Council of the iCty of Indianapolis adjourned at 2:20 o'clock p. m.

*Baynton J. Moore*

President.

Attest:

*William A. Boyce.*

City Clerk.





## REGULAR MEETING

Monday, September 20, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis, Indiana, met in the Council Chamber, September 20, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and seven members, viz.: Austin H. Todd, Otis E. Bartholomew, Millard W. Ferguson, Walter R. Dorsett, Robert E. Springsteen, O. Ray Albertson and Edward B. Raub.

Absent: Claude E. Negley.

The reading of the journal was dispensed with on motion of Mr. Albertson, seconded by Mr. Bartholomew.

### COMMUNICATIONS FROM THE MAYOR

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 64. An Ordinance covering 1927 Tax Levy of Three Hundred and Fifty Thousand (\$350,000.00) Dollars.

And Ordinance No. 61 covering Temporary Loan.

And Ordinance No. 62. Amending Zoning Ordinance.

And Ordinance No. 3. Appropriating 1927 Budget.

Yours very truly,

J. L. DUVAL.

Mayor.

### REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., September 20, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred Gen. Order, 65, 66, 67, 68, 69, 70, 71, 72, covering miscellaneous transfers, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman

A. H. TODD

OTIS E. BARTHOLOMEW

WALTER R. DORSETT

Indianapolis, Ind., September 20, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*



Gentlemen—We, your Committee on Finance to whom was referred Gen. ordinance No. 56, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman  
A. H. TODD  
OTIS E. BARTHOLOMEW  
WALTER R. DORSETT

Indianapolis, Ind., September 20, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred Appr. ordinance No. 5, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman  
A. H. TODD  
OTIS E. BARTHOLOMEW  
WALTER R. DORSETT

Indianapolis, Ind., September 20, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred Special Ordinance No. 4, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman  
A. H. TODD  
OTIS E. BARTHOLOMEW  
WALTER R. DORSETT

Indianapolis, Ind., September 20, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee, special, to whom was referred Appr. Ordinance No. 4, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

M. W. FERBUSON, Chairman.  
O. RAY ALBERTSON  
A. H. TODD  
WALTER R. DORSETT  
OTIS E. BARTHOLOMEW

Indianapolis, Ind., September 20, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 63, 1926, beg leave to report that

we have had said ordinance under consideration, and recommend that we be given more time.

OTIS E. BARTHOLOMEW, Chairman  
EDWARD R. RAUB  
ROBT. E. SPRINGSTEEN.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.*

Dear Sir:—I am handing you herewith copies of an Ordinance granting Jesse C. Moore the right to lay and maintain a switch across Mill Street, at a point north of 17th Street. Kindly submit same to the Council for their consideration.

Yours truly,  
WAYNE EMMELMAN,  
Clerk, Board of Public Works.

September 3, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen:—We herewith present to you an ordinance providing for the free distribution of dogs impounded by the City Dog Pound and fixing a penalty for violation of such ordinance.

We would appreciate your giving this ordinance your favorable consideration.

Yours very truly,  
BOARD OF PUBLIC SAFETY,  
CLAUDE C. McCOY,  
Executive Secretary

September 20 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen:—The Board of Safety respectfully presents to you for your consideration an ordinance governing parking of vehicles on both sides of Delaware and Alabama Streets between Washington and Ohio Streets, repealing all ordinances in conflict with same and fixing a time when same shall take effect.

The Board respectfully recommends the passage of this ordinance, copies of which are attached.

Yours very truly,  
BOARD OF PUBLIC SAFETY,  
CLAUDE C. McCOY,  
Executive Secretary.

## INTRODUCTION OF GENERAL ORDINANCES

By Mr. Raub:

### GENERAL ORDINANCE NO. 73, 1926.

AN ORDINANCE, granting to Jesse C. Moore the right to lay and maintain a sidetrack or switch from the east side of Mill Street

at a point sixteen (16) feet north of the north line of West Seventeenth Street, westward across said Mill Street, as per blue print attached hereto, in the city of Indianapolis, Indiana.

WHEREAS Jesse C. Moore of Indianapolis, Marion County, Indiana, desires the right to lay, maintain and operate a sidetrack across Mill Street, a public highway in the City of Indianapolis, Marion County, Indiana, said sidetrack to run from the east side of Mill Street at a point sixteen (16) feet north of the north line of West Seventeenth Street, westward across said Mill Street as per blue print hereto attached, and which is for identification marked "Exhibit A", and:

WHEREAS on the 27th day of April, 1926, Jesse C. Moore filed his petition before the Board of Public Works in the City of Indianapolis, as follows:

**"BOARD OF PUBLIC WORKS, CITY OF INDIANAPOLIS,**

Gentlemen:—I hereby respectfully petition your honorable body for the privilege of extending across Mill Street and parallel with the north side of said street at a point sixteen (16) feet north thereof, the railroad switch now located on my ground on the east side of Mill Street and north side of Seventeenth Street, serving my tenant, the Acme Coal Company, said extension to be as per blue print attached, the purpose being to give more trackage to said Acme Coal Company that they may the better and more economically serve their patrons and the citizens of the northwest part of Indianapolis.

NOW, THEREFORE, This Agreement made and entered into this 23rd day of June, 1926, by and between Jesse C. Moore, of the City of Indianapolis, County of Marion, State of Indiana, party of the first part, and the City of Indianapolis, by and through its Board of Public Works, party of the second part.

WITNESSETH: That the party of the first part, being desirous of securing the right of way for a sidetrack or switch from the east side of Mill Street at a point sixteen (16) feet north of the north line of West Seventeenth Street, westward across said Mill Street, as per blue print attached, in the City of Indianapolis, which is more specifically described on the blue print hereto attached and made a part hereof as follows: From the intersection of the north line of Seventeenth Street with the east line of Mill Street, in the City of Indianapolis, Center Township, Marion County, Indiana, measure along said east line of Mill Street Sixteen (16) feet to point "A" the place where the proposed track extension enters Mill Street; then deflecting ninety (90°) degrees to the left measure westerly across Mill Street fifty (50°) degrees to point "B" the place where the proposed track extension reaches Mill Street, hereby covenants and fully binds himself, his successors, legal representatives and assigns, that in consideration of the grant of the privileges and authority herein given he will lay, construct and maintain said track upon the terms and conditions hereinafter set forth, to-wit:

1. They shall be so laid, improved and kept in repair as to be safe for persons on foot, in vehicles or otherwise, and shall, at

all times, be subject to the orders of the Board of Public Works of the City of Indianapolis.

2. Said track and switch shall be laid upon such grade as shall be established by said Board; and shall be put down under its supervision and to its satisfaction and approval. Said track shall be raised or lowered to conform to any grade which may, from time to time, be hereafter established, when so ordered, in writing, by said Board, and shall be made to conform in all respects, with any ordinance passed by the Common Council or with any Resolution or Resolutions made by said Board, for the elevation or depression of said tracks.

3. The crossing where said track intersects shall, at all times, be kept improved and in repair and free from obstructions or defects of any kind. No car or cars shall be permitted to obstruct such crossing or to be thereon except for such time as may be absolutely necessary in moving same back and forth, they shall be at no time stopped or detained thereon in such manner as to obstruct public travel.

4. Said party of the first part agrees, upon the written order of said Board, made for any good cause affecting the interests of the City or the public welfare, to take up and remove said track, and upon said party's failure so to do, upon such notification in writing, of ten (10) days to promptly pay the cost of having the same done, and the party of the first part hereby releases all claims for damages whatsoever that may arise by reason of such removal; and in removing said track or causing the same to be done, said Board shall in nowise become a trespasser.

5. The party of the first part agrees to pave between said track to the entire satisfaction of the second party, and in case said tracks shall be or become out of repair or in need of being reconstructed or become in any way defective (of which fact the said Board shall be the exclusive judge,) it shall be the duty of the said party of the first part to promptly repair or remove same, failing in which, after notification in writing of ten (10) days said Board shall do or cause the same to be done at the expense of the said party of the first part and for which expense and cost the said party of the first part shall be liable.

6. The said party of the first part herein binds himself to hold said party of the second part and said City harmless from any and all claims for damages growing out of the existence, maintenance or use of said track, and to pay any judgment, with costs, that may on that account be rendered against the said party or said City, and also to pay all necessary expenses that may be incurred by said City in defending against any such claims.

7. Any violation of any of the provisions of this instrument by said party of the first part, or by anyone for it or at its instance or with its permission, shall operate as an immediate and absolute forfeiture of the privileges and authorities given or granted by this contract, provided, however, that the same may be terminated by said Board as hereinbefore set forth.



Said party of the second part, by virtue of the provisions of an Act of the General Assembly of the State of Indiana, entitled: "An Act Concerning Municipal Corporations," approved March 6, 1905, and in consideration of the things hereinbefore set forth and upon the terms and provisions stipulated, hereby gives, grants and duly vests said party of the first part the right privilege and authority to lay and maintain an additional sidetrack across Mill Street, in the City of Indianapolis, all as shown by the drawing attached hereto, filed herewith, and for greater certainty marked "Exhibit A."

IN WITNESS WHEREOF, we have hereunto set our hands this 23rd day of June, 1926.

Jesse C. Moore,  
Party of the first Part.

WITNESS:  
L. Cummings.

CITY OF INDIANAPOLIS

By R. C. Shaneberger, President,  
L. H. Trotter,  
O. Hack,  
Board of Public Works,  
Party of the Second Part.

and

WHEREAS said contract has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis, for its consideration and action, NOW THEREFORE:

Section 1. BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

That such contract above set forth, be and the same is hereby in all things confirmed and approved.

Section 2. This ordinance shall be in full force and effect from and after its passage.

EDWARD B. RAUB.

Which was read a first time and referred to the Committee on Law and Judiciary.

By Board of Safety:

GENERAL ORDINANCE NO. 74, 1926.

AN ORDINANCE, providing for the free distribution of dogs impounded by the City Pound-Keeper, to any person or persons requesting the same, provided they shall, within seven days thereafter, purchase a license for the said dog or dogs, declaring an emergency, fixing a penalty, repealing any ordinance or ordinances or parts of ordinances in conflict therewith, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That it shall hereafter be unlawful for any person or persons receiving a dog or dogs from the City Dog Pound to harbor the same for more than seven days thereafter without first obtaining a license from the City Controller.

Section 2. That any person or persons found guilty of the violation of this ordinance upon conviction shall be fined in any sum not to exceed Twenty-Five (\$25.00) Dollars.

Section 3. That any ordinance or ordinances, or any parts thereof, in conflict with this ordinance, shall hereby be repealed.

Section 4. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 75, 1926.

AN ORDINANCE, governing the parking of vehicles on both sides of Delaware street and Alabama street between the north property line of Washington street and the south property line of Ohio street and governing the parking of vehicles on Wabash Street between the East property line of Delaware Street and the West property line of Alabama Street, fixing a time limit for the same, repealing all ordinances in conflict with the same, fixing a penalty, declaring an emergency, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That hereafter all vehicles parking on Alabama and Delaware Streets, between Washington and Ohio Streets shall be parked at a forty-five degree (45°) angle and that the time limit shall be established at one and one-half hours, and that all vehicles parking on Wabash Street between Delaware and Alabama Street shall park parallel to the curb, and that the time limit shall be thirty minutes.

Section 2. All ordinances or parts of ordinances in conflict with this ordinance shall hereafter be repealed.

Section 3. Any person or persons found guilty of the violation of Section 1 of this ordinance shall be fined in any sum not to exceed Two (\$2.00) Dollars for the first violation, Three (\$3.00) Dollars for subsequent violations, to which may be added imprisonment not to exceed ten (10) days in the Marion County Jail.

Section 4. This ordinance shall be in full force and effect from and after its passage.

WALTER R. DORSETT

Which was read a first time and referred to a Special Committee consisting of Mr. Raub, chairman; Messrs. Springsteen, Albertson, Dorsett and Todd.

By Mr. Dorsett:

GENERAL ORDINANCE NO. 76, 1926.

AN ORDINANCE, changing the name of Sixteenth Street which extends from Dearborn Streets to the Belt Railroad and renaming the same "Brookside Parkway South Drive" in the City of Indianapolis, Indiana.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the name of the street now known as "Sixteenth Street" extending from Dearborn Street to the Belt Railroad is hereby changed to and renamed, "Brookside Parkway South Drive."

Section 2. This Ordinance shall be in full force and effect from and after its passage.

WALTER R. DORSETT, Councilman.

Which was read a first time and referred to the Committee on Law and Judiciary.

INTRODUCTION OF MISCELLANEOUS BUSINESS

Mr. Raub presented the following written motion:

WHEREAS the attached remonstrance was signed and ready for presentation to this council at its regular meeting on the sixth day of September 1926; and

WHEREAS August M. Kasper et al., appeared at the council chamber on said date, but as no meeting was held, were unable to present same; and

WHEREAS Gen. Ordinance No. 62 was passed by the Council, September 4th, 1926, same being two days prior to the date consideration was to have been had on said ordinance and the hearing of remonstrances:

NOW therefore be it resolved that said remonstrance which is attached hereto, shall be set forth in the proceedings of this council.

EDWARD B. RAUB, Councilman.

The above motion was seconded by Mr. Ferguson.

Mr. Albertson stated that Mr. Raub's motion was out of order, inasmuch as the petition was not presented to the Council before the passage of the Ordinance to which objection was made.

President Moore sustained Mr. Albertson's point of order.

Mr. Raub appealed to the Council from the President's decision.

The President's decision upholding Mr. Albertson's point of order was sustained by the following vote:

Ayes, 5, viz.: Messrs. Albertson, Bartholomew, Dorsett, Todd and President Moore.

Noes, 3, viz.: Messrs. Ferguson, Raub and Springsteen.

Mr. Bartholomew presented the following Resolution, which was passed unanimously:

We, the members of the Indianapolis City Council, extend our sympathy to the hurricane sufferers of the State of Florida.

We, the Legislative body of this "No Mean City" are willing to extend aid and assistance to any extent that lies within our power.

BOYNTON J. MOORE, President  
OTIS E. BARTHOLOMEW  
WALTER R. DORSETT  
AUSTIN M. TODD  
O. RAY ALBERTSON  
M. W. FERGUSON  
ROBT. E. SPRINGSTEEN  
EDWARD B. RAUB

Call for Ordinances on second reading:

Mr. Albertson called for General Ordinance No. 56 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 56 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 56 was read a third time and passed by the following vote:



Ayes, 6, viz.: Messrs. Albertson, Bartholomew, Ferguson, Springsteen, Todd and President Moore.

Noes, 2, viz.: Messrs. Dorsett and Raub.

Mr. Bartholomew called for Appropriation Ordinance No. 4 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Bartholomew, Appropriation Ordinance No. 4 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 4 was read a third time and passed by the unanimous vote of the Council.

Mr. Albertson called for Appropriation Ordinance No. 5 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, Appropriation Ordinance No. 5 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 5 was read a third time and passed unanimously.

Mr. Albertson called for Special Ordinance No. 4 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, Special Ordinance No. 4 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 4 was read a third time and passed unanimously.

Mr. Albertson called for General Ordinance No. 65 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, General Ordinance No. 65 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 65 was read a third time and passed unanimously.

Mr. Albertson called for General Ordinance No. 66 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, General Ordinance No. 66 was ordered en-

grossed, read a third time and placed upon its passage.

General ordinance No. 66 was read a third time and passed unanimously.

Mr. Albertson called for General Ordinance No. 67 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, General Ordinance No. 67 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 67 was read a third time and passed unanimously.

Mr. Albertson called for General Ordinance No. 68 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, General Ordinance No. 68 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 68 was read a third time and passed unanimously.

Mr. Albertson called for General Ordinance No. 69 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, General Ordinance No. 69 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 69 was read a third time and passed unanimously.

Mr. Albertson called for General Ordinance No. 70 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, General Ordinance No. 70 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 70 was read a third time and passed unanimously.

Mr. Albertson called for General Ordinance No. 71 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, General Ordinance No. 71 was ordered en-

grossed, read a third time and placed upon its passage.

General Ordinance No. 71 was read a third time and passed unanimously.

Mr. Albertson called for General Ordinance No. 72 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, General Ordinance No. 72 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 72 was read a third time and passed unanimously.

On motion of Mr. Bartholomew, seconded by Dr. Todd, Resolution No. 8 was stricken from the files.

On motion of Mr. Raub, seconded by Mr. Albertson, General Ordinance No. 29 was stricken from the files.

On motion of Mr. Ferguson, seconded by Mr. Raub, General Ordinance No. 50 was stricken from the files.

On motion of Mr. Bartholomew, seconded by Mr. Raub, General Ordinances Nos. 36 and 37 were stricken from the files.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Common Council of the City of Indianapolis adjourned at 9:30 o'clock p. m.

*Raynton J. Moore*

President.

Attest:

*William A. Boyce*

City Clerk.

## REGULAR MEETING

Monday, October 4, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, October 4, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and six members, viz.: Claude E. Negley, Robert E. Springsteen, Walter R. Dorsett, Millard W. Ferguson, Otis E. Bartholomew and Austin H. Todd.

Absent: Edward B. Raub and O. Ray Albertson.

The reading of the Journal was dispensed with on motion of Mr. Bartholomew, seconded by Dr. Todd.

## COMMUNICATIONS FROM THE MAYOR

September 22, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 65, 1926.

An Ordinance transferring the sum of One Thousand (\$1000.00) Dollars from Department of Public Safety, Fire Department Fund No. 44. General Materials, and Two Thousand (\$2000.00) Dollars from Department of Public Safety, Fire Department Fund No. 72, Equipment, and reappropriating the same to Department of Public Safety, Fire Department Fund No. 33, Garage and Motor, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 66, 1926, an ordinance transferring the sum of One Thousand (\$1,000.00) Dollars from the Department of Public Safety, Police Department, Fund No. 26, other contractual, and reappropriating the same to Department of Public Safety, Police Department Fund No. 38, General Supplies, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 67, 1926, an ordinance transferring the sum of Eighty-two (\$82.25) Dollars and Twenty-Five Cents, from the Department of Public Safety, Gamewell Division,



Fund No. 24, Printing and Advertising, Three Hundred and Fifty (\$350.00) Dollars from Department of Public Safety, Gamewell Division Fund No. 44, General Materials, Three Hundred and Fifty (\$350.00) Dollars from Department of Public Safety, Gamewell Division, Fund No. 45, Repairs, and reappropriating the same to Department of Public Safety, Gamewell Division, Fund No. 33, Garage and Motor, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 68, 1926, an Ordinance transferring the sum of Two Hundred and Fifty (\$250.00) Dollars in the Department of Public Safety, Building Department, from Fund No. 24, Printing and Advertising, and reappropriating the same to the Department of Public Safety, Building Department, Fund No. 36, Office Supplies, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 69, 1926, an ordinance transferring and reappropriating the sum of Two Hundred Sixty-Six Dollars and Seventy Cents (\$266.70) in the Board of Public Safety, Fire Prevention, Properties Fund No. 7, to the Board of Public Safety, Fire Prevention, Office and Supplies Fund No. 36, declaring an emergency and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 70, 1926, an Ordinance transferring the sum of Five Hundred (\$500.00) Dollars from Fund No. 72 (Equipment) in the City Civil Engineer Department to Fund No. 36 (Office Supplies) in the City Civil Engineer Department all under the Board of Public Works of the City of Indianapolis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 71, 1926, an Ordinance transferring the sum of Thirty-Five Hundred (\$3,500.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 33, Garage and Motor, and reappropriating the same to the Board of Public Works, Municipal Garage Fund No. 22, Heat, Light, Power and Water, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 72, 1926, an Ordinance transferring the sum of One Thousand (\$1,000.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 25, Repairs, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 45, Repair Parts, and fixing a time when the same shall take effect.

APPROPRIATING ORDINANCE No. 4, 1926, an Ordinance appropriating the sum of Twenty Thousand One Hundred and Seventy-Five Dollars (\$20,175.00) to Gasoline Tax Fund No. 12, Temporary Salary and Wages, and the sum of Sixty Thousand Three Hundred and Fifty Dollars (\$60,350.00) to Gasoline Tax Fund No. 43, Street and Alley Material, both of which Fund Numbers being hereby created in the Department of the City Civil Engineer in the Department of Public Works of Indianapolis, out of the gasoline tax money for the purposes of repairing certain streets hereinafter specified, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE No. 5, 1926, an Ordinance appropriating the sum of Eleven Thousand Three Hundred and Forty-Five (\$11,345.00) Dollars to Gasoline Tax Fund No. 12,

Temporary Salary and Wages, the sum of Ten Thousand and Forty-Two (\$10,042.16) Dollars and Sixteen Cents to Gasoline Tax Fund, No. 452, Materials, Parts of Structures, and the sum of Thirty-Five Hundred (\$3,500.00) Dollars to Gasoline Tax Fund No. 251, Services Contractual, all in the Department of the Street Commissioner in the Department of Public Works of the City of Indianapolis, out of the Gasoline Tax money, for the purposes of repairing certain bridges hereinafter specified, creating such Fund Numbers, and fixing a time when the same shall take effect.

Very truly yours,

J. L. DUVALL,  
Mayor.

September 28, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 56, 1926.

An Ordinance authorizing the borrowing of Eleven Thousand (\$11,000.00) Dollars and the sale of eleven (11) bonds of One Thousand (\$1,000.00) Dollars each of the City of Indianapolis, Indiana, payable from the General Revenues and funds of said City or from the Sinking Fund of said City or as may be required by law, for the purpose of procuring money to be used in constructing a Bridge No. 814 known as the Bean Creek Bridge at Shelby Street in the City of Indianapolis, Indiana, and providing for the time and manner of advertising the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale, and fixing a time when this ordinance shall take effect.

AND SPECIAL ORDINANCE No. 4, 1926, an Ordinance authorizing the sale, alienation and conveyance of real estate by the Board of Park Commissioners of the Department of Public Parks, of the City of Indianapolis, and fixing a time when the same shall take effect.

Very truly yours,

J. L. DUVALL,  
Mayor.

#### REPORTS FROM CITY OFFICERS

October 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I herewith hand you a General Ordinance, transferring the sum of Two Thousand (\$2,000.00) Dollars from Interest

on Bonded Debt, Fund No. 61, Controller's Office, and reappropriating the same to Fund No. 36, Supplies, in the Barrett Law Department.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

October 2, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I herewith hand you a General Ordinance transferring the sum of Fifty (\$50.00) Dollars from the Department of Public Purchase, Fund No. 24, Printing and Advertising, and reappropriating the same to Department of Public Purchase, Fund No. 36, Office.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

October 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I herewith hand you a General Ordinance transferring the sum of Thirteen Hundred (\$1,300.00) Dollars from the Board of Public Works, Municipal Garage Fund, No. 25, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 33.

Also, a General Ordinance transferring the sum of One Hundred (\$100.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 25, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 21.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

October 4, 1926.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.*

Gentlemen—The Board of Public Works, under date of Sep-

tember 15th, 1926, approved a switch contract granting the M. A. Nowlin Feed Company the right to lay and maintain a switch east and west across Harding Street and parallel with Miller Street. Minute Record FF, Page 590.

Yours truly,

WAYNE EMMELMANN,

Clerk, Board of Public Works.

## REPORTS FROM STANDING COMMITTEES

October 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on General Ordinance No. 76, to whom was referred General Ordinance No. 76, 1926, entitled Renaming East 16th Street, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WALTER R. DORSETT, Chairman.

OTIS E. BARTHOLOMEW,

A. H. TODD.

October 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 63, 1926, entitled, Rezoning, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

OTIS E. BARTHOLOMEW, Chairman.

A. H. TODD,

C. E. NEGLEY.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the City Controller:

### GENERAL ORDINANCE No. 77, 1926

AN ORDINANCE transferring the sum of Two Thousand (\$2,000) Dollars from Interest on Bonded Debt, Fund No. 61, Controller's Office, and reappropriating the same to Fund No. 36, Supplies in the Barrett Law Department, declaring an emergency, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Thousand (\$2,000.00) Dollars



be and the same is hereby transferred and reappropriated from Controller's Fund, No. 61, Interest on Bonded Debt, to Fund No. 36, Supplies, in the Barrett Law Department.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Dorsett, Negley, Bartholomew and Todd.

By the City Controller:

GENERAL ORDINANCE No. 78, 1926.

AN ORDINANCE, transferring the sum of Fifty (\$50.00) Dollars from the Department of Public Purchase, Fund No. 24, Printing and Advertising, and reappropriating the same to Department of Public Purchase, Fund No. 36, Office, declaring an emergency, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Fifty (\$50.00) Dollars be and the same is now hereby transferred and reappropriated from Department of Public Purchase, Fund No. 24, Printing and Advertising, to Department of Public Purchase, Fund No. 36, Office.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Controller:

GENERAL ORDINANCE No. 79, 1926.

AN ORDINANCE, transferring the sum of Thirteen Hundred (\$1,300.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 25, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 33, declaring an emergency, and fixing a time when the same shall take effect.

Also, transferring the sum of One Hundred (100.00) Dollars from Board of Public Works, Municipal Garage Fund No. 25, and reappropriating the same to Board of Public Works, Municipal Garage Fund No. 21, declaring an emergency, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Thirteen Hundred (\$1,300.00)

Dollars be and the same is now hereby transferred and reappropriated from Board of Public Works, Municipal Garage Fund No. 25 to Board of Public Works, Municipal Garage Fund No. 33. Also, that the sum of One Hundred (\$100.00) Dollars be and the same is now hereby transferred and reappropriated from Board of Public Works, Municipal Garage Fund No. 25 to Board of Public Works, Municipal Garage Fund No. 21.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Dorsett, Todd, Negley and Springsteen.

By Mr. Bartholomew:

#### GENERAL ORDINANCE No. 80, 1926.

AN ORDINANCE to amend Section 377 of General Ordinance No. 121, 1925, providing for a penalty for its violation and designating a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Section 377 of General Ordinance No. 121, 1925, be amended to read as follows:

#### CURFEW

"Section 377. Regulation. Penalty. It is hereby made unlawful for any girl or any boy under the age of seventeen years, to be or remain in or upon any of the streets, alleys or public places in the City at night after the hour of nine o'clock p. m., unless such person is accompanied by a parent, guardian or other person having legal custody of such minor person, or is in the performance of an errand or duty directed by such parent, guardian or other person having the legal custody of such minor person, or whose employment makes it necessary to be upon said streets, alleys or public places during the night time after said specified hour. Any person violating any of the provisions of this section on conviction, shall be fined in any sum not exceeding Fifty (\$50.00) Dollars.

Section 2. This Ordinance shall be in full force and effect from and after its passage and due publication as required by law.

Which was read a first time.

By the Board of Works:

#### SWITCH CONTRACT.

#### GENERAL ORDINANCE No. 81, 1926.

AN ORDINANCE, approving a certain contract granting the M. A. Nowlin Feed Company the right to lay and maintain a side-track or switch from a connection with the yard track of the Pennsylvania Railroad, across Harding Street and parallel

with Miller Street, according to blue print attached, in the City of Indianapolis, Indiana.

WHEREAS, heretofore, towit; on the — day of —, 1926, the M. A. Nowlin Feed Company filed its petition before the Board of Public Works of the City of Indianapolis, as follows.

To the Honorable Roy C. Shaneberger,  
Honorable L. H. Trotter,  
Honorable Oren S. Hack,

Members of the Board of Public Works, of Indianapolis, Indiana

Gentlemen—We, the owners of the property bounded on the East by Kentucky Avenue, on the Northwest by Harding Street and on the Northeast by Miller Street, in the City of Indianapolis, Indiana, hereby respectfully petition your Honorable Board for authority to construct a switch East and West across Harding Street and parallel with Miller Street, in said City, for the following reasons, towit:

1. Your petitioners further petition for permission to construct said switch at their expense and they agree to construct it in such manner and form and under such terms and conditions as may be imposed on them by the City of Indianapolis, by its Engineer.

2. Your petitioners further show to your Board that Harding Street is a very little used Street and that there is little or no vehicular traffic over the same, and that the running of said switch will not impose any additional burden or servitude upon the people of Indianapolis or the adjacent property owners.

3. That in support of the contentions of your petitioners herein the petitioners file herewith and make a part hereof and for certainty marked as "Exhibit A," a blue print of the right-of-way of said railroad, of the streets contiguous to the proposed street and containing a general outlay of the community and proposed switch.

4. Your petitioners further show that if said switch can be constructed they have in mind certain negotiations for an industrial establishment at that point, but on account of the situation as outlined in "Exhibit A" they can not complete said negotiations and under present conditions can not secure any outlet for the proposed purchasers or purposes in the use of said switch, unless said switch is built across Harding Street as set out.

5. Your petitioners further say that they will do and abide all reasonable rules and restrictions concerning the establishment and maintenance and operation of said switch.

M. A. NOWLIN FEED COMPANY.

By CHARLES L. RIDDLE,  
Agent for Petitioners.

Approved:

ROY C. SHANEBERGER,

L. H. TROTTER,

O. S. HACK,

Board of Public Works.

and

WHEREAS, said contract has been submitted by the Board of Public Works to the Common Council of the City of Indianapolis for its consideration and action, NOW THEREFORE,

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That such contract above set forth be, and the same is hereby in all things confirmed and approved.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Works.

By Mr. Dorsett:

RESOLUTION No. 12, 1926.

WHEREAS, it has come to the notice of the members of the Common Council that the Chairman of an investigating committee from the Indiana Republican Editorial Association has made a public charge through the public press that he has information and evidence purporting to show and prove that the city officials of Indianapolis are controlled by unsavory influences which are inimical to the best interests of the City of Indianapolis, and

WHEREAS, the said Chairman of the aforesaid investigating committee has not delt in plain facts and figures but makes his charges in a general and not in a specific way, therefore

*Be It Resolved By the Common Council of the City of Indianapolis, Indiana:*

That, the President of the Council be authorized to appoint a special committee whose duty it shall be to immediately call Mr. Thomas H. Adams, Editor of the Vincennes Commercial, to a conference to receive from him such evidence and authenticated information which he may have to support the charges that he has made in a public manner.

AND BE IT FURTHER RESOLVED, that all of such information, data and evidence thereby secured be thoroughly investigated by such committee and return report made to the Common Council.

WALTER R. DORSETT, Councilman.

Which was read a first time and referred to a Special Committee consisting of Mr. Dorsett, Chairman; Messrs. Bartholomew, Todd, Ferguson and Springsteen.

ORDINANCES ON SECOND READING.

On motion of Mr. Bartholomew, seconded by Mr.



Negley, the rules were suspended unanimously for the passage of General Ordinance No. 80.

Mr. Bartholomew called for General Ordinance No. 80 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 80 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 80 was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Negley, Springsteen, Dorsett, Bartholomew, Todd and President Moore.

Noes, 1, viz.: Mr. Ferguson.

Mr. Bartholomew called for General Ordinance No. 63 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Dorsett, the Council recessed for five minutes.

The Council reconvened at 8:45 o'clock with the same members present as before.

Mr. Bartholomew presented the following motion to amend General Ordinance No. 63:

The above motion was seconded by Dr. Todd.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 63, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 63, as amended, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Negley, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

Noes, 1, viz.: Mr. Springsteen.

Dr. Todd called for General Ordinance No. 76 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Dorsett, General Ordinance No. 76 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 76 was read a third time and passed unanimously by the Council.

On motion of Mr. Dorsett, seconded by Mr. Springsteen, Resolution No. 12 was adopted unanimously by the Council.

Mr. Dorsett, Chairman of the Special Committee which has under consideration Resolution No. 12, announced that there would be a committee meeting Wednesday, October 6, at 1 o'clock in the Council Chamber.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Common Council of the City of Indianapolis at 8:55 o'clock p. m., adjourned.

*Baynton J. Moore*

President.

Attest:

*William A. Boyce Jr.*

City Clerk.



## REGULAR MEETING

Monday, October 25, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, October 25, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and eight members, viz.: Claude E. Negley, Edward B. Raub, O. Ray Albertson, Robert E. Springsteen, Walter R. Dorsett, Millard W. Ferguson, Otis E. Bartholomew and Austin H. Todd.

The Clerk proceeded with the reading of the journal of the preceding session, October 4, 1926.

On motion of Mr. Bartholomew, seconded by Mr. Todd, the minutes were ordered corrected as follows:

"Your Committee on City Welfare, to which was referred General Ordinance No. 63, 1926, begs leave to report that said ordinance was referred by the City Clerk upon its introduction by Mr. Dorsett, a member of the Council, to the City Plan Commission, of the City of Indianapolis, which caused notices to be published August 26, 1926, as by law provided, notifying all persons that said ordinance, together with maps, pertaining were on file in the office of such City Plan Commission of the City of Indianapolis, for public examination. That upon consideration of the same the City Plan Commission, by its secretary, notified the City Clerk that since the ordinance originated in the City Council, by one of its members, the City Plan Commission would take no action thereon, and did not, in fact, make any report adversely upon such ordinance, and that since no remonstrances against said ordinance have been presented to the Council, in writing, duly signed and acknowledged,

"Your committee does now recommend the passage of said ordinance."



## COMMUNICATIONS FROM THE MAYOR.

October 13, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 63, 1926.

An Ordinance amending General Ordinance No. 114, 1922, and entitled "An Ordinance dividing the city of Indianapolis into districts for the purpose of regulating the restricting the location of trades, callings, industries and commercial enterprises and the location of buildings, etc. Which so changes that ordinance as to make the territory from 25th St. North to Fall Creek on Delaware Street territory confined to the use of business.

It is now and always has been my view that our Boulevards should be kept free from buildings erected along them for business purposes. However, I am advised by competent attorneys that the roadway along Fall Creek between Meridian Street and Central Ave., is not a Boulevard, but a street under the control and supervision of the Board of Works.

The approach to the Delaware Street Bridge has long been a matter of grief to the city administration and it seems that some action must be immediately taken to correct this unfortunate condition. Accompanying the ordinance are two deeds which convey sufficient ground to the City of Indianapolis free of cost, for the widening of Delaware street at this particular point, which results in a great saving to the city. Otherwise it would be necessary to bring condemnation proceedings and have this property appraised before it could be purchased by the city, which would naturally cost a large amount of money. This is an important matter which I am bearing in mind in signing this ordinance. I also note that the ordinance was passed at the regular meeting with but one dissenting vote of those present and since its passage one of the members of the Council who was not present at the meeting and could not vote upon the ordinance called upon me personally and said that he was for it and would have voted in favor of its passage had he been present.

With kind regards, I am

Very truly yours,

JOHN L. DUVALL,

Mayor.

October 13, 1926.

*To the Honorable President and Members of the Common Council of Indianapolis:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, Resolution No. 12, 1926.

WHEREAS, it has come to the notice of the members of the Common Council that the Chairman of an investigating Committee from the Indiana Republican Editorial Association has made a public charge through the public press that he has information and evi-

dence purporting to show and prove that the city officials of Indianapolis are controlled by unsavory influences which are inimical to the best interests of the City of Indianapolis.

Very truly yours,

JOHN L. DUVALL,

Mayor.

October 13, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 76, 1926.

An Ordinance changing the name of Sixteenth Street which extends from Dearborn Street to the Belt Railroad and renaming the same "Brookside Parkway, South Drive" in the City of Indianapolis, Indiana.

General Ordinance No. 80, 1926. An ordinance to amend Section 377 of General Ordinance No. 121, 1925, providing for a penalty for its violation and designating a time when the same shall take effect.

Very truly yours,

JOHN L. DUVALL,

Mayor.

#### REPORTS FROM CITY OFFICERS.

October 14, 1926.

*To the Honorable President and Members of the Common Council of Indianapolis:*

Gentlemen—Attached herewith please find a General Ordinance transferring the sum of Thirty-five (\$35.00) Dollars in the Department of City Clerk from Fund No. 25, Repairs to Equipment, and reappropriating the same to the Department of City Clerk Fund No. 21, Postage, Telegraph and Telephone.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,

City Controller.

October 14, 1926.

*To the Honorable President and Members of the Common Council of Indianapolis:*

Gentlemen—I have been requested by the Street Commissioners Department to submit to you the attached General Ordinance for the transfer of funds as listed in said ordinance.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER.

City Controller.

October 25, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Attached herewith please find a General Ordinance for the transfer of "The World War Memorial Fund" under the control of the Board of Public Works of the City of Indianapolis, Indiana, in the sum of Two Hundred Forty-two Thousand Five Hundred Thirty-two Dollars and Fifty-one Cents (\$242,532.51), with any accumulated interest thereon, to the World War Memorial Bond Fund under the control of the Board of Sinking Fund Commissioners,

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

### REPORTS FROM STANDING COMMITTEES.

October 25, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

We, your committee to whom was referred General Ordinance No. 81, beg leave to report that we have had said Ordinance under consideration and recommend that the same be passed.

WALTER R. DORSETT  
O. RAY ALBERTSON  
OTIS E. BARTHOLOMEW  
AUSTIN H. TODD  
C. E. NEGLEY.

Committee.

October 25, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

We, your committee to whom was referred General Ordinance No. 47, beg leave to report that we have had said Ordinance under consideration and recommend that the same be passed.

A. H. TODD, Chairman.  
OTIS E. BARTHOLOMEW  
C. E. NEGLEY.  
R. E. SPRINGSTEEN.

Committee.

October 25, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

We, your committee to whom was referred General Ordinance No. 73, beg leave to report that we have had said ordinance under

consideration and recommend that the same be passed.

AUSTIN H. TODD, Chairman.  
EDWARD B. RAUB  
R. E. SPRINGSTEEN.

Committee.

## INTRODUCTION OF GENERAL ORDINANCES.

By Dr. Todd:

### GENERAL ORDINANCE NO. 82, 1926.

AN ORDINANCE, to amend Section 865 Indianapolis Building Code of 1925, of General Ordinance No. 121, known as Municipal Code of Indianapolis, 1925, and entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation, with stated exceptions repealing all former ordinances.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section A-244. Any person, firm or corporation who shall violate or assist in the violation of or cause to be violated any Section of the City Building Code shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Five Hundred (\$500.00) Dollars for each and every offense or misdemeanor, to which may be added ten (10) days imprisonment in the Marion County Jail. Each and every day a violation shall continue to exist or occur shall constitute a separate and individual offense or misdemeanor.

Section A-245. Any person, firm or corporation who shall violate or disregard or continue to violate or disregard any summons, placard or notice, either by letter or agent of the City Building Department, shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not to exceed Five Hundred (\$500.00) Dollars for each and every offense or misdemeanor, to which may be added ten (10) days imprisonment in the Marion County Jail. Each and every day a violation shall exist or occur the same shall constitute a separate and individual offense or misdemeanor.

Section A-246. Any ordinance or parts of ordinances in conflict herewith shall hereafter be and the same are now hereby repealed.

Section A-247. This ordinance shall be in full force and effect from and after its passage.

AUSTIN H. TODD.

Which was read a first time and referred to the Committee on Public Safety.

By the City Comptroller:



## GENERAL ORDINANCE NO. 83, 1926.

AN ORDINANCE, transferring the sum of Thirty-five (\$35.00) Dollars in the Department of City Clerk from Fund No. 25, Repairs to Equipment, and reappropriating the same to the Department of City Clerk Fund No. 21, Postage, Telegraph and Telephone, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Thirty-five (\$35.00) Dollars be and the same is now hereby transferred and reappropriated from the Department of City Clerk Fund No. 25, Repairs to Equipment to Department of City Clerk, Fund No. 21, Postage, Telegraph and Telephone.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee which consisted of Mr. Ferguson, Chairman; Messrs. Springsteen, Dorsett, Todd and Albertson.

By the City Comptroller:

## GENERAL ORDINANCE NO. 84, 1926.

AN ORDINANCE, transferring the sum of Two Thousand (\$2,000.00) Dollars from Street Commissioners Department, Fund No. 21, Communication and Transportation; One Thousand (\$1,000.00) Dollars from Street Commissioners Department, Fund No. 25, Repairs; Five Hundred (\$500.00) Dollars from Street Commissioners Fund, No. 44, General Materials, and re-appropriating same to Street Commissioners Dept., Fund No. 12, Unimproved Streets, all under the Board of Public Works, and fixing a time when the same shall take effect.

Also, transferring the sum of Eighteen Hundred (\$1,800.00) Dollars from Street Commissioners Department, Fund No. 43, Street and Alley Materials, and reappropriating same to Street Commissioners Department, Fund No. 12, Sewer Department, all under the Board of Public Works, and fixing a time when the same shall take effect.

Also, transferring the sum of Two Hundred Fifty (\$250.00) Dollars from Street Cleaning Department, Fund No. 12, Helpers; One Hundred Fifty (\$150.00) Dollars from Stock-keeper, Fund No. 12, and reappropriating same to Stablesman, Fund No. 12, all under the Board of Public Works, and fixing a time when the same shall take effect.

Also, transferring the sum of Four Hundred (\$400.00) Dollars from Street Commissioners Department, Fund No. 22, Heat, Light, Power and Water; Three Hundred (\$300.00) Dol-

lars from Street Commissioners Department, Fund No. 54, Rental Taxes, and reappropriating same to City Yards Fund No. 12, all under the Board of Public Works, and fixing a time when the same shall take effect.

Also, transferring the sum of Twenty-five Hundred (\$2,500.00) Dollars from Street Cleaning Fund No. 13, Teams; Fifteen Hundred (\$1,500.00) Dollars from Street Cleaning Fund No. 12, Helpers; Five Hundred (\$500.00) Dollars from Street Cleaning Fund No. 12, Light Trucks; Nine Hundred Fifty (\$950.00) Dollars from Fund No. 12, Carpenters; Nine Hundred Fifty (\$950.00) Dollars from Unimproved Streets, Fund No. 11, Personal Service; Three Hundred Fifty (\$350.00) Dollars from Fund No. 11, Sewers; Two Hundred thirty (\$230.00) Dollars from Fund No. 11, Office; Twelve Hundred (\$1200.00) Dollars from Fund No. 38, Supplies, General; Seven Hundred (\$700.00) Dollars from Fund No. 45, Repair Parts; Five Hundred Twenty (\$520.00) Dollars from Fund No. 71, Buildings and Structures, and reappropriating same to Street Cleaning Fund No. 12, Laborers, all under the Board of Public Works, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Thousand (\$2,000.00) Dollars from Street Commissioners Department, Fund No. 21, Communication and Transportation; One Thousand (\$1,000.00) Dollars from Street Commissioners Department, Fund No. 25, Repairs; Five Hundred (\$500.00) Dollars from Street Commissioners Fund No. 44, General Materials, be and the same is hereby now transferred and reappropriated to Street Commissioners Department, Fund No. 12, Unimproved Streets, all under the Board of Public Works .

That the sum of Eighteen Hundred (\$1,800.00) Dollars from Street Commissioners Department, Fund No. 43, Street and Alley Materials, be and the same is hereby now transferred and reappropriated to Street Commissioners Department Fund No. 12, Sewer Department, all under the Board of Public Works.

That the sum of Two Hundred Fifty (\$250.00) Dollars from Street Cleaning Department Fund No. 12, Helpers; One Hundred Fifty (\$150.00) Dollars from Stock-keeper, Fund No. 12, be and the same is hereby now transferred and reappropriated to Stablemen, Fund No. 12, all under the Board of Public Works.

That the sum of Four Hundred (\$400.00) Dollars from the Street Commissioners Dept. Fund No. 22, Heat, Light, Power and Water; Three Hundred (\$300.00) Dollars from Street Commissioners Department, Fund No. 54, Rental Taxes, be and the same is hereby now transferred and reappropriated to City Yards Fund No. 12, all under the Board of Public Works.

That the sum of Twenty-five Hundred (\$2,500.00) Dollars from Street Cleaning Fund No. 13, Teams; Fifteen Hundred (\$1,500.00) Dollars from Street Cleaning Fund No. 12, Helpers; Five Hundred (\$500.00) Dollars from Street Cleaning Fund No. 12, Light Trucks; Nine Hundred Fifty (\$950.00) Dollars from Fund No. 12, Carpent-

ers; Nine Hundred Fifty (\$950.00) Dollars from Unimproved Streets, Fund No. 11, Personal Service; Three Hundred Fifty (\$350.00) Dollars from Fund No. 11, Sewers; Two Hundred Thirty (\$230.00) Dollars from Fund No. 11; Office; Twelve Hundred (1,200.00) Dollars from Fund No. 38, Supplies, General; Seven Hundred (\$700.00) Dollars from Fund No. 45, Repair Parts; Five Hundred Twenty (\$520.00) Dollars from Fund No. 71, Buildings and Structures, be and the same is hereby now transferred and reappropriated to Street Cleaning Fund No. 12, Laborers, all under the Board of Public Works.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Negley, Springsteen, Bartholomew and Dorsett.

By the City Comptroller:

#### GENERAL ORDINANCE NO. 85, 1926.

AN ORDINANCE, for the transfer of "The World War Memorial Fund" under the control of the Board of Public Works of the City of Indianapolis, Indiana in the sum of Two Hundred Forty-Two Thousand, Five Hundred Thirty-two Dollars and Fifty-one Cents (\$242,532.51) with any accumulated interest thereon, to the World War Memorial Bond Fund under the control of the Board of Sinking Fund Commissioners of said city and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That "The World War Memorial Fund" now under control of the Board of Public Works of the City of Indianapolis in the sum of Two Hundred Forty-two Thousand Five Hundred Thirty-two Dollars and Fifty-one Cents (\$242,532.51) with any accumulated interest thereon, be and the same is hereby transferred from the control of the said Board of Public Works to the World War Memorial Bond Fund under the control of the Board of Sinking Fund Commissioners of said city.

Section 2. That the proper officers of the city shall forthwith do all things necessary to make such transfer effective.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By Mr. Albertson:

## GENERAL ORDINANCE NO. 86, 1926.

AN ORDINANCE to amend General Ordinance No. 114, 1922, entitled: "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises, and the location of buildings designed for specified uses; of classifying, regulating, and determining the area of front, rear, and side yards, and other open spaces about buildings; or regulating and determining the use and intensity of use of land and lot areas within such City; creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect, and fixing the time when the same shall take effect."

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the U3 or business district, the A3, or the 2400 square feet area district, and the H1, or 50 feet height district, as established by General Ordinance No. 114, 1922, be and the same are hereby amended, supplemented, and changed so as to include the following described territory.

A. Beginning at the North property line of East 46th street, at its intersection with the west property line of Central Ave., thence north along the west property line of Central Ave., a distance of 83.33 feet; thence west and parallel to the north property of 46th street, a distance of 150 feet; thence south and parallel to the west property line of Central Ave., a distance of 83.66 feet, and thence east to the place of beginning.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law.

O. RAY ALBERTSON.

Which was read a first time and referred to the Committee on Law and Judiciary.

By Mr. Ferguson:

## GENERAL ORDINANCE NO. 87, 1926.

AN ORDINANCE to amend Section Eight Hundred Ninety-Three (893) District Exceptions, of General Ordinance No. 114, 1922, entitled: "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses: of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing a time when the same shall take effect.



*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Section 893, District Exceptions, (Paragraph 23) of General Ordinance 114, 1922, be amended by the addition of the following provision which shall be known as Sub-Section 9, to-wit:

(9) The Board of Zoning Appeals as established by ordinance regularly passed by the Common Council of the City of Indianapolis shall in no instance authorize or permit, or recommend the authorization or permission, to change the U1 or residence zoning of any district in the City of Indianapolis to a U3 or business zoning without first securing the approval of the Common Council by submitting the proposed change of zoning from U1 zoning to U3 zoning in the form of an ordinance with a request that the same be passed by the Common Council, and unless such request in the form of an ordinance shall be regularly passed by the Common Council the proposed change from U1 zoning to U3 zoning shall not take effect.

Section 2. This ordinance shall be in full force and effect from and after its passage.

MILLARD W. FERGUSON.

Which was read a first time and referred to a Special Committee consisting of Mr. Dorsett, Chairman; Messrs. Albertson, Ferguson, Negley and Bartholomew.

#### CALL FOR ORDINANCES ON SECOND READING.

Mr. Bartholomew called for General Ordinance No. 47 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 47 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 47 was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Albertson, Bartholomew, Dorsett, Ferguson, Negley, Springsteen, Todd and President Moore.

Noes, 1, viz.: Mr. Raub.

Dr. Todd called for General Ordinance No. 73 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Dorsett, General Ordinance No. 73 was ordered engrossed, read

a third time and placed upon its passage.

General Ordinance No. 73 was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Negley, Raub, Springsteen, Todd and President Moore.

Noes, 1, viz.: Mr. Albertson.

Mr. Dorsett called for General Ordinance No. 81 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 81 was ordered engrossed, read a third time and placed upon its passage.

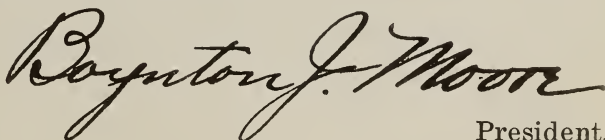
General Ordinance No. 81 was read a third time and passed by unanimous vote.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, Special Ordinance No. 3 was stricken from the files.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 75 was stricken from the files.

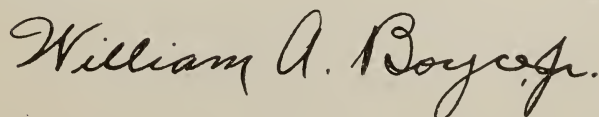
On motion of Mr. Bartholomew, seconded by Dr. Todd, Resolution No. 10 was stricken from the files.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, the Common Council of the City of Indianapolis at 8:35 o'clock p. m. adjourned.

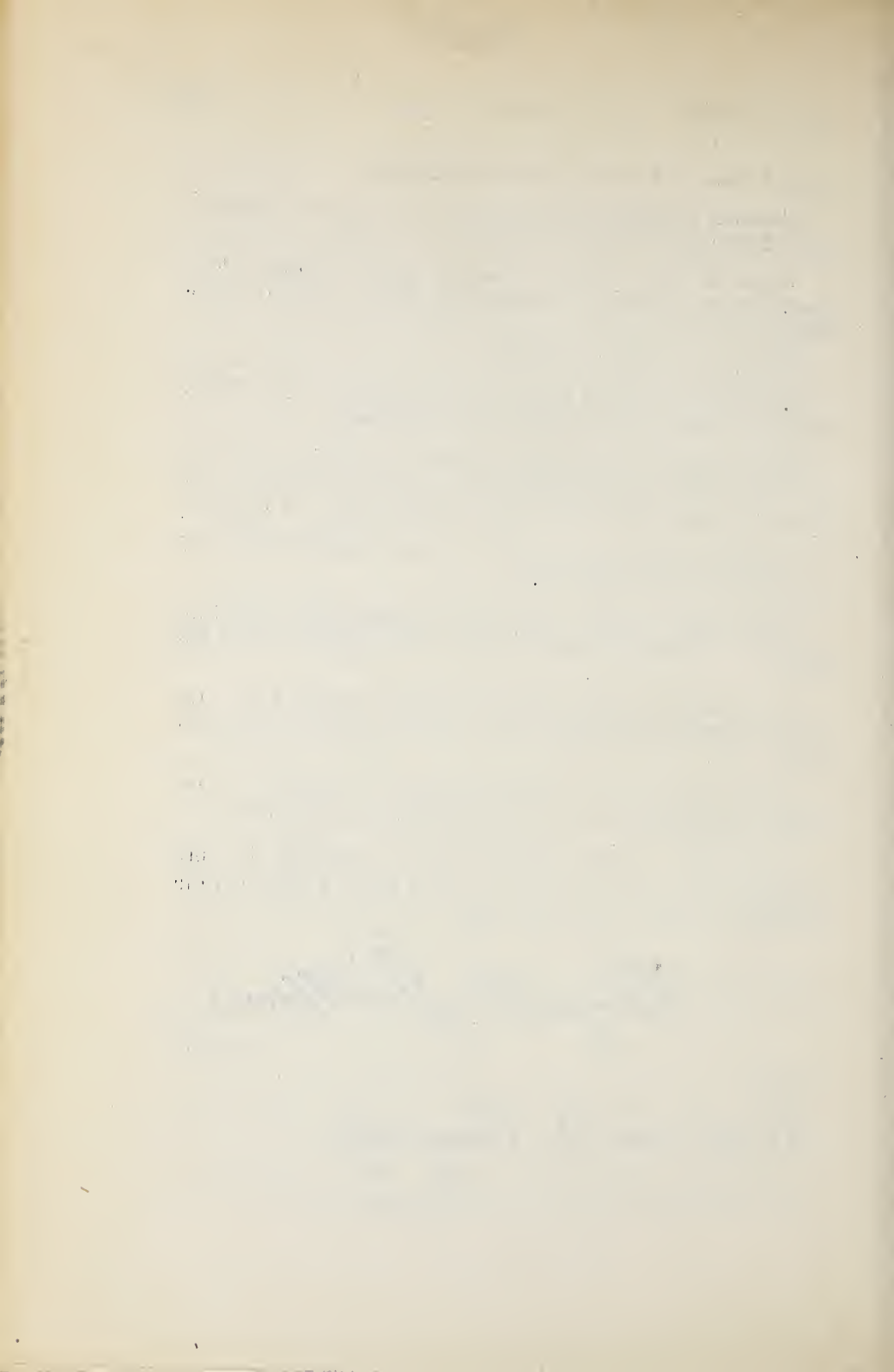


President.

Attest:



City Clerk.



## REGULAR MEETING

Thursday, November 4, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Thursday, November 4, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and six members, viz.: Claude E. Negley, Edward B. Raub, O. Ray Albertson, Walter R. Dorsett, Millard W. Ferguson and Otis E. Bartholomew.

Absent: Robert E. Springsteen and Austin H. Todd.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Mr. Dorsett.

## COMMUNICATIONS FROM THE MAYOR.

October 26, 1926.

*To the President and Honorable Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 73, 1926. "An Ordinance, granting to Jesse C. Moore the right to lay and maintain a sidetrack or switch from the east side of Mill Street at a point sixteen (16) north of the north line of West Seventeenth Street, westward across said Mill Street, as per blue print attached hereto, in the city of Indianapolis, Indiana."

## GENERAL ORDINANCE NO 81, 1926

"An Ordinance, approving a certain contract granting the M. A. Nowlin Feed Company the right to lay and maintain a sidetrack or switch from a connection with the yard track of the Pennsylvania Railroad, across Harding Street and parallel with Miller Street, according to blue print attached, in the city of Indianapolis, Indiana."

Very truly yours,

JOHN L. DUVAL,  
Mayor.

October 27, 1926.

*To the President and Honorable Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—I have today approved with my signature and de-



livered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 47, 1926. "An Ordinance, amending Section 476 of General Ordinance No. 121, an ordinance entitled "An Ordinance creating the Government of the city of Indianapolis, providing penalties for its violation and with stated exceptions, repealing all former ordinances," being known as "Municipal Code of Indianapolis, 1925."

Very truly yours,

JOHN L. DUVALL,  
Mayor.

#### REPORTS FROM CITY OFFICERS

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Attached herewith please find a General Ordinance transferring the sum of Two Hundred (\$200.00) Dollars from City Controller's Fund No. 61, "Interest on Bonded Debt," and reappropriating the same to the Legal Department Fund No. 72, "Equipment."

I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,  
City Controller.

November 1, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Attached herewith please find a General Ordinance transferring the sum of Four Thousand (\$4,000.00) Dollars from Fund No. 33, Garage and Motor, in the Police Department and reappropriating the same to Fund No. 72, Equipment, in the Police Department of Public Safety.

I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,  
City Controller.

November 1, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Attached herewith please find a General Ordinance transferring the sum of Two Hundred Ninety-eight (\$298.00) Dollars from the Department of Public Safety Building Department Fund No. 24, "Printing other than Office," and reappropriating Twenty-two (\$22.00) Dollars to Fund No. 21, Building Department

and Two Hundred Seventy-six (\$276.00) Dollars to Fund No. 72, Building Department.

I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,  
City Controller.

November 1, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Attached herewith please find a General Ordinance transferring the sum of Sixteen Thousand (\$16,000.00) Dollars from the Department of Finance, Fund No. 61, "Interest on Bonded Debt," and reappropriating the same as follows: Six Thousand Three Hundred (\$6,300.00) Dollars to Fund No. 22, Police Department, under the Board of Public Safety; Three Thousand Three Hundred Fifty (\$3,350.00) Dollars to Fund No. 22, Fire Department, under the Board of Public Safety; Three Thousand (\$3,000.00) Dollars to Fund No. 33, Fire Department, under the Board of Public Safety; and Three Thousand Three Hundred Fifty (\$3,350.00) Dollars to Fund No. 21, Administrative Unit of the Board of Public Safety.

I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,  
City Controller.

November 1, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Attached herewith please find a General Ordinance transferring and reappropriating certain funds under the Department of Public Safety as specified in the ordinance.

I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,  
City Controller.

November 1, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Attached herewith please find a General Ordinance authorizing the City Controller and the Mayor of Indianapolis, to issue bonds for the purposes of funding and refunding indebtedness of such City and its previous loans evidenced and represented by

"Indianapolis World War Memorial Bonds 1921" due on Jan. 1, 1927, in the amount of One Million Six Hundred Thousand Dollars (\$1,600,000.00) heretofore issued, rendered, negotiated and sold by said City and which are now unpaid, reducing the rate of interest thereon, extending the time of payment and cancelling and for the purpose of paying all of such "Indianapolis World War Memorial Bonds 1921," by the issuance of new refunding bonds therefor in the above amount.

As the law specifies that bonds cannot be sold under twenty-nine days after the advertisement of the determination to issue bonds it is imperative that your honorable body take action on this bond ordinance without any undue delay. The time that these bonds must be refunded is Jan. 1, 1927.

Respectfully submitted,

WM. C. BUSER,  
City Controller.

November 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Attached please find a copy of a request from the Board of Public Safety that an ordinance be prepared calling for a bond issue in the sum of One Hundred Five Thousand (\$105,000.00) Dollars for the purchase of certain fire and police apparatus and equipment, under the Board of Public Safety, and that same be submitted to your honorable body for passage.

Also, attached please find copies of the ordinance calling for the bond issue in the above amount. I respectfully recommend the passage of this ordinance.

Yours,

WM. C. BUSER,  
City Controller.

November 3, 1926.

*Mr. William C. Buser, City Controller, City of Indianapolis.*

Dear Sir:—

At a meeting of the Board of Public Safety held today, the following resolution was unanimously adopted by the Board:

"WHEREAS there is not now and will not be sufficient funds in the Treasury of the City of Indianapolis, Indiana, for the purchase of certain Police and Fire apparatus and equipment, and

WHEREAS, the Indianapolis Police and Fire Departments are sorely in need of such equipment and that if the same is not immediately purchased, the life and property of the City of Indianapolis and its citizens will be jeopardized and whereas an emergency for the purchase now exists, now therefore

*Be It Resolved By the Common Council of the City of Indianapolis, Indiana:*

That the City Controller is now hereby requested to prepare and present to the Common Council of the City of Indianapolis a bond issue in the sum of One Hundred Five Thousand (\$105,000.00) Dollars for the purchase of certain fire and police apparatus and equipment for the use of the Indianapolis Police and Fire Departments under the Board of Public Safety in the City of Indianapolis, Indiana."

The Honorable Board requests that you prepare a bond issue in the form of an ordinance in the sum of One Hundred Five Thousand (\$105,000.00) Dollars for the purchase of same and transmit same to the Common Council.

Yours very truly,

BOARD OF PUBLIC SAFETY,

CLAUDE C. McCOY,  
Executive Secretary.

#### REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., November 4, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—We, your Committee on Law and Judiciary to whom was referred General Ordinance No. 86, 1926, entitled Amend Zoning Ordinance 46th and Central, beg leave to report that we have had said ordinance under consideration, and recommend that the same Not be Passed.

OTIS E. BARTHOLOMEW  
E. B. RAUB  
C. E. NEGLEY.

#### INTRODUCTION OF GENERAL ORDINANCES

By the City Comptroller:

#### GENERAL ORDINANCE NO. 88, 1926.

AN ORDINANCE, transferring the sum of Two Hundred (\$200.00) Dollars in the Office of the City Controller from Controller's Fund No. 61, "Interest on Bonded Debt," and reappropriating the same to the Legal Department Fund No. 72, Equipment, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Hundred (\$200.00) Dollars be and the same is now hereby transferred and reappropriated from the Controller's Fund No. 61, "Interest on Bonded Debts" to the Legal Department Fund No. 72, "Equipment."

Section 2. This Ordinance shall be in full force and effect from and after its passage.



Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Dorsett, Bartholomew, Negley and Albertson.

By the City Comptroller:

GENERAL ORDINANCE NO. 89, 1926

AN ORDINANCE, Transferring the sum of Four Thousand (\$4000.00) Dollars from Fund No. 33, Garage and Motor, in the Police Department, transferring same to and reappropriating it to Fund No. 72, Equipment, Police Department of the Department of Public Safety, and declaring a time when same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and is hereby transferred the sum of Four Thousand (\$4000.00) Dollars from Fund No. 33, Garage and Motor, Police Department, and that the same be and is hereby transferred to and reappropriated to Fund No. 72, Equipment, Police Department, of the Department of Public Safety.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Dorsett, Chairman; Messrs. Ferguson, Raub, Albertson and Negley.

By the City Comptroller:

GENERAL ORDINANCE NO. 90, 1926

AN ORDINANCE, Transferring the sum of Two Hundred Ninety-eight Dollars (\$298.00) from the Department of Public Safety Building Department Fund No. 24, Printing other than Office, and reappropriating as follows:

Twenty-two Dollars (\$22.00) to Fund No. 21, Building Department and Two Hundred Seventy-six Dollars to Fund No. 72, Building Department in the Department of Public Safety and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Hundred Ninety-eight Dollars be and the same is hereby now transferred and reappropriated from the Department of Public Safety Building Department Fund No. 24, Printing other than Office, Twenty-two Dollars to Fund No. 21, Building Department and Two Hundred Seventy-six Dollars to Fund No. 72, Building Department in the Department of Public Safety.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Comptroller:

GENERAL ORDINANCE NO. 91, 1926

AN ORDINANCE, Transferring certain funds under the Department of Finance and reappropriating same to the Department of Public Safety and declaring a time when same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and is hereby transferred from the Department of Finance, Fund No. 61, Interest, the sum of Sixteen Thousand (\$16,000.00) Dollars and that the same be and is hereby reappropriated as follows: The sum of Six Thousand Three Hundred (\$6,300.00) Dollars to Fund No. 22, Police Department, under the Department of Public Safety;

The sum of Three Thousand Three Hundred Fifty (\$3,350.00) Dollars to Fund No. 22, Fire Department, under the Department of Public Safety;

The sum of Three Thousand (\$3,000.00) Dollars to Fund No. 33, Fire Department, under the Department of Public Safety.

The sum of Three Thousand Three Hundred Fifty (\$3,350.00) Dollars to Fund No. 21, Administrative Unit, of the Department of Public Safety.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Dorsett, Todd, Albertson and Bartholomew.

By the City Comptroller:

GENERAL ORDINANCE NO. 92, 1926

AN ORDINANCE, Transferring and reappropriating certain funds under the Department of Public Safety and declaring a time when same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and is hereby transferred from Fund No. 24, Fire Department, under the Department of Public Safety, the sum of Three Hundred Fifteen (\$315.00) Dollars, and from

Fund No. 26, Fire Department, under the Department of Public Safety, the sum of Two Hundred Eighty-six Dollars and Forty-Five Cents (\$286.45) and from Fund No. 72, Fire Department, under the Department of Public Safety, the sum of One Hundred Ninety-Eight Dollars and Fifty-Five Cents (\$198.55) and that the same be and is hereby reappropriated to Fund No. 25, Fire Department under the Department of Public Safety.

Section 2. That there be and is hereby transferred from Fund No. 44, Fire Department, under the Department of Public Safety, the sum of Three Hundred Dollars (\$300.00) and that the same be and is hereby reappropriated to Fund No. 38, Fire Department, under the Department of Public Safety.

Section 3. That there be and is hereby transferred from Fund No. 44, Fire Department, under the Department of Public Safety, the sum of One Thousand (\$1000.00) Dollars and that the same be and is hereby reappropriated to Fund No. 33, Fire Department, under the department of Public Safety.

Section 4. That there be and is hereby transferred from Fund No. 26, East Market, under the Department of Public Safety, the sum of Thirty (\$30.00) Dollars, and from Fund 41, East Market, under the Department of Public Safety, the sum of Seventy-Five (\$75.00) Dollars, and from Fund No. 72, East Market, under the department of Public Safety, the sum of Fifteen (\$15.00) Dollars and that same be and is hereby reappropriated to Fund No. 38, East Market, under the Department of Public Safety.

Section 5. That there be and is hereby transferred from Fund No. 45, Dog Pound, under the Department of Public Safety, the sum of Six Dollars and Fourteen Cents (\$6.14) and that same be and is hereby reappropriated to Fund No. 41, Dog Pound, under the Department of Public Safety.

Section 6. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Comptroller:

#### GENERAL ORDINANCE NO. 93, 1926

AN ORDINANCE, Authorizing the City Controller and Mayor in the name of and for the City of Indianapolis, Indiana to issue bonds for the purposes of funding and refunding indebtedness of such city and its previous loans evidenced and represented by INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1921, due on January 1, 1927, in the amount of One Million Six Hundred Thousand Dollars (\$1,600,000.00) heretofore issued and sold by said city under and pursuant to its General Ordinance No. 71, 1921, heretofore issued, rendered, negotiated and sold by such city and which are now unpaid, reducing the rate of interest thereon, extending the time of payment and cancelling and for the purpose of paying all of such INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1921, by the issu-

ance of new refunding bonds therefor in such sum of One Million Six Hundred Thousand Dollars (\$1,600,000.00) payable from the general revenues and funds of said city or from the Sinking Fund of said city, or as may be required and authorized by law, to carry out, ratify and continue the patriotic purposes of An Act of the General Assembly of the State of Indiana, Chapter 199, of the Acts of the General Assembly of Indiana of 1921, page 515, Burns 1926, Section 13591, et seq., and for which original issue Declaratory Resolution No. 4, 1921 was adopted by the Common Council of said city on May 19, 1921, and approved by the Mayor on the 21st day of May, 1921, and all other things done as required by law, and whereas John L. Duvall, Mayor of the City of Indianapolis, and William C. Buser, City Controller of the City of Indianapolis, have recommended to the Common Council such refunding as in this ordinance declared, and that it authorize the issue and sale thereof of sixteen hundred (1600) INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1927, of One Thousand Dollars (\$1,000.00) each and order and appropriate the proceeds of such bond sale in the hands of said controller, the city treasurer or of the proper officer or officers of such city for the purpose and sole use of payment and cancelling said bonds of 1921; providing that said bonds shall be issued in the denomination of One Thousand Dollars (\$1,000.00) for each bond in twenty-five (25) series aggregating Sixty-four Thousand Dollars (\$64,000.00) in each series, the first series to be payable on January 1, 1929, and one series to be payable on each and every first day of the year thereafter, until and including January 1, 1953; said bonds to draw interest at the rate of four and one quarter ( $4\frac{1}{4}\%$ ) per cent. per annum payable semi-annually on the first day of January and the first day of July of each year hereafter until maturity as evidenced by interest coupons attached thereto; said bonds to be dated January 1, 1927, and to be sold pursuant to law on December 20, 1926; authorizing the City Controller and Mayor in advertising for the sale of such bonds to ask for competitive bids on said bonds as to each series thereof, and fixing a time when this ordinance shall take effect.

WHEREAS, there is an outstanding and valid indebtedness of the City of Indianapolis, evidenced by bonds of said City bearing date of November 15, 1921, known as the "Indianapolis World War Memorial Bonds 1921," and maturing on January 1, 1927, in the sum of One Million Six Hundred Thousand Dollars (\$1,600,000.00); and

WHEREAS, there are not sufficient funds and will not be sufficient funds in the treasury of said City with which to pay off and discharge said bonds when the same will become due and mature, and there is not sufficient tax levy in process of collection with which to pay and discharge said bonds at the time the same will be due and mature; and

WHEREAS, it is essential in order to preserve the credit of said City that said bonds be taken up, paid off and discharged at the time the same will be due and mature, and it is necessary to provide funds for the payment and discharge of said bonds of said city and to issue and make sale of refunding bonds of said city in the sum of One Million Six Hundred Thousand Dollars (\$1,600,000.00) to provide funds to pay, discharge and take up said bonds; therefore



*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City of Indianapolis borrow the sum of One Million Six Hundred Thousand Dollars for the purpose of taking up, paying off and discharging the principal of certain bonds of said City of Indianapolis bearing date of November 15, 1921, in the principal sum of One Million Six Hundred Thousand Dollars (\$1,600,000.00), which said bonds will mature and become due and payable on January 1, 1927. And for the purpose of obtaining the money with which to pay, discharge and take up said bonds, the Mayor and City Controller of the City of Indianapolis are hereby empowered, authorized and directed to issue and sell the bonds of said city of Indianapolis in the sum of One Million Six Hundred Thousand Dollars, and said bonds shall be designated and known as "Indianapolis World War Memorial Refunding Bonds 1927."

Section 2. That said refunding bonds shall be issued in the denomination of One Thousand Dollars (\$1,000.00) for each bond in twenty-five (25) series, each series to be in the sum of and to aggregate Sixty-four Thousand Dollars (\$64,000.00); that the first series thereof shall be due and payable on January 1, 1929, and one series thereof shall be due and payable on each and every first day of the year thereafter until and including January 1, 1953; that said bonds shall draw interest thereon at the rate of four and one-quarter per cent. per annum ( $4\frac{1}{4}\%$ ) payable semi-annually on the first day of January and the first day of July of each year hereafter until maturity, which interest shall be evidenced by appropriate interest coupons attached to such bonds; that each of said bonds shall be dated January 1, 1927, and shall be sold pursuant to law on December 20, 1926, that the City Controller and Mayor are hereby authorized in advertising for the sale of such bonds to ask for competitive bids on said bonds as to each series thereof; that said refunding bonds shall be numbered from (1) to sixteen hundred (1600) both inclusive.

Said bonds shall be negotiable as inland bills of exchange and said installments of interest shall be evidenced by interest coupons attached to said bonds and the first coupon attached to each of said bonds shall be for the interest on said bonds from the date of issue until the first day of July, 1927. Said bonds shall be exempt from taxation for any and all purposes. Said bonds and interest coupons shall be negotiable and payable at the office of the City Treasurer of the City of Indianapolis. Said bonds shall be signed by the Mayor and the City Controller of said city and attested by the City Clerk who shall affix the seal of said city to each of said bonds and the interest coupons attached to said bonds shall be authenticated by a lithographic fac simile of the signatures of the Mayor and City Controller of said city, printed or engraved thereon, which shall for all purposes be taken and deemed equivalent to a manual signing thereof. Said bonds shall be prepared by the City Controller in due form irrevocably pledging the faith and credit of the City of Indianapolis to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller at the time of the issue and negotiation of said bonds to register in a book kept for that purpose all of said bonds so issued and negotiated in serial numbers, beginning with bond issue number one (1), entering the date of issue, the amount of bond, the rate of interest, the date of maturity, the time and plan for payment of interest and the

place of payment of principal and interest. Said bonds shall be prepared according to the following forms and all blanks therein shall be properly filled in before the issue thereof:—

No. \_\_\_\_\_ \$1,000.00

UNITED STATES OF AMERICA  
CITY OF INDIANAPOLIS  
MARION COUNTY, STATE OF INDIANA

INDIANAPOLIS

WORLD WAR MEMORIAL REFUNDING BOND, 1927.

For value received, the City of Indianapolis in Marion County, State of Indiana, hereby promises to pay to the bearer, on January 1, 19\_\_\_\_, at the office of the City Treasurer, of the City of Indianapolis, One Thousand (\$1,000.00) Dollars in lawful money of the United States together with interest thereon at the rate of four and one-quarter (4¼%) per cent per annum, from date until paid, the first interest payable on the first day of July, 1927, and interest thereafter payable semi-annually on the first day of January and July, respectively, on the presentation and surrender of the proper interest coupons hereto attached and which are made a part of this bond.

This bond is one of an issue of sixteen hundred (1600) bonds of One Thousand (\$1,000.00) Dollars each, numbered from one (1) to sixteen hundred (1600), both inclusive, of date of January 1, 1927, issued by the City of Indianapolis pursuant to an ordinance passed by the Common Council of said city on the \_\_\_\_\_ day of \_\_\_\_\_, 1926, and An Act of the General Assembly of the State of Indiana, entitled "An Act concerning Municipal Corporations" approved March 6, 1905, and Acts amendatory thereof and supplemental thereto, including an Act of the General Assembly of the State of Indiana, entitled:

"AN ACT entitled An Act authorizing any city in the State of Indiana, to acquire grounds, real estate and interest therein by purchase, donation or condemnation, and to erect and maintain thereon suitable structures to commemorate the valor and sacrifices of the soldiers, sailors and marines of the United States, of all patriotic organizations and all others who rendered loyal service and made sacrifices at home and overseas in the great World War, and to provide therein a place or places of meetings and headquarters for organizations of such soldiers, sailors and marines, of all patriotic organizations and others, and for other public purposes, and authorizing any city to join with the county in which it is located in the acquisition of such grounds, real estate and interests therein, and the erection and maintenance of such memorial structures, and to provide for the creation of a board of trustees, its powers and duties, and authorizing any such city to acquire, or to join with the county in which it is located in the acquisition of real estate and interests therein, by purchase, donation or condemnation, to be dedicated and set apart for World War Memorial and other public purposes and added to and used in connection with any real estate which may have been, or

may be hereafter designated for use, or dedicated and set apart by the State of Indiana for World War Memorial and other public purposes; authorizing such city or such city and such county jointly by proper contract, deed or grant to convey to the State of Indiana the real estate so acquired for World War Memorial and other public purposes, as provided therein, and to provide for the levy of taxes and the issuance of bonds, and the appropriation of money for said purposes; exempting the same from taxation, and declaring an emergency; (approved March 10, 1921), for the purpose of providing funds for the payment discharge and satisfaction of the valid, outstanding bonded indebtedness of said city, evidenced by sixteen hundred (1600) bonds in the sum of One Thousand (\$1,000.00) Dollars each, bearing date of November 15, 1921, and maturing January 1, 1927, designated "Indianapolis World War Memorial Bonds, 1921."

It is hereby certified that all things and Acts required by laws of the State of Indiana and by ordinance of the Common Council of the City of Indianapolis precedent to the issuance of this bond have happened and have been done and performed in and about the authorization, appropriation, issuance and complete execution of this bond and it is further certified that this bond and said total issue of bonds are within every limit of debt prescribed by the constitution and laws of the State of Indiana, and said bonded indebtedness to be discharged and satisfied by the proceeds of the sale of said bonds, was at the time of the incurring thereof, within every limit of debt prescribed by the constitution and laws of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, is hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Controller and attested by the City Clerk, and the

corporate seal of said City to be hereunto affixed this \_\_\_\_\_

day of \_\_\_\_\_, 192\_\_\_\_\_.

\_\_\_\_\_  
Mayor.

\_\_\_\_\_  
City Controller.

Attest:

\_\_\_\_\_  
City Clerk.

Section 3. The City Controller shall, as soon as practicable after the passage of this ordinance advertise for bids or proposals for said bonds, by at least one insertion each week for two weeks in two daily newspapers of general circulation, printed and published in the City of Indianapolis, and may otherwise advertise for such bids or proposals as he may deem advisable and do all things as required by law in relation to such advertisements. Said advertisements shall describe said bonds with such minuteness and particularity as the City Controller may see fit, and shall set forth the amount of bonds



to be sold and the rate of interest they shall bear that the bidder may bid for all or any part of said bonds, the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of the deposit each bidder will be required to make, and when and where the bonds shall be delivered and paid for, and that the date of the sale thereof shall be December 20, 1926.

Section 4. Each and every bid and proposal shall be presented to the City Controller sealed and shall be accompanied by a duly certified or cashier's check upon some responsible bank or trust company in the City of Indianapolis, Indiana, payable to the order of the City Treasurer, for a sum of money which shall equal two and one-half (2½%) per centum of the face or par value of the bonds bid for or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller until twelve o'clock noon, on the day fixed by the Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between said hour and two o'clock P. M. of said day he shall open said bids or proposals. The City Controller shall award said bonds, or if he shall see fit, a part of any number thereof to the highest and best bidder therefor, but said Controller shall have the full right to reject any and all bids or proposals or any part thereof, and shall have the right to accept a part of any bid, and to award upon any bid the whole or a less number of bonds covered by such bid, he being the sole judge of sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. Such sale of bonds shall be on December 20, 1926. These provisions shall apply in the case of reoffering and readvertising of said bonds as hereinafter provided, except in such case such sale may be subsequent to December 20, 1926, at date fixed by the Controller.

Section 5. In case the City Controller shall reject all bids submitted, or if he shall award only a part of said bonds he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix the date and the time both for receiving and opening bids or proposals and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time in like manner, to readvertise said bonds for sale until said bonds are sold.

Section 6. In case any bid or proposal shall not be accepted, and there shall be no award of bonds thereon by the Controller, he shall thereupon return to such unsuccessful bidder the certified check accompanying the same. If the Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such nonpayment of said check upon the part of the purchaser, and the city, in that event, shall have the right to readvertise said bonds for sale at once, and shall, in such event, retain said check, and shall have the right to



collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the city. In case any successful bidder shall fail to complete the purchase of bonds so awarded, and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller, as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase, and shall be taken and deemed as a payment to the city for such damages, and shall be retained and held by said city for its use; but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified check shall thereupon be returned to such bidder; or, at the option of the City Controller, at the time of the completion of the sale and payment for the bonds, said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Section 7. Delivery of any bonds sold shall be made at the office of the City Treasurer of the City of Indianapolis, Indiana, upon such day or days as may be specified in the advertisement or re-advertisement for proposals, or within such time thereafter as may be fixed by the Controller, or at such time or times as may be agreed upon by the Controller and the purchaser or purchasers, and the Controller may extend the time for such delivery not more than ten days after the day or days specified or agreed upon as above provided; and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and times, and his or her refusal, neglect or omission to do so shall be a breach of the contract of his bid or proposal, on account of which damages shall be retained or recovered as liquidated and provided in this ordinance.

Section 8. The full amount of the proceeds from the sale of said bonds authorized to be issued and sold by this ordinance is hereby appropriated and ordered to the sole and only purpose of the immediate use of such proceeds for the payment in full of said INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1921, and for the full cancellation of the same. It shall be the duty of the City Controller and the City Treasurer or the other proper officer or officers of said city to immediately apply said proceeds to the payment, retirement and full cancellation of each and all of said INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1921, and to apply any amount realized in the sale of such refunding bonds in excess of the requirements of such payment to the Indianapolis World War Memorial Bond Fund under the control of the Board of Sinking Fund Commissioners or to such purposes as may be required by law.

Section 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on Finance.

By the City Comptroller:

## GENERAL ORDINANCE NO. 94, 1926.

AN ORDINANCE, authorizing the borrowing of One Hundred Five Thousand Dollars (\$105,000.) and the sale of one hundred and five (105) bonds of One Thousand Dollars (\$1,000) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the Sinking Fund of said city, or as may be required by law, for the purpose of procuring money to be used for the purchase of certain equipment to be used in the Indianapolis Police and Indianapolis Fire Departments and providing for the time and manner of advertising the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale, and fixing a time when this ordinance shall take effect.

WHEREAS, there is not now and will not be sufficient funds in the treasury of the City of Indianapolis, Indiana, with which to meet the aforesaid expenditure for the aforesaid public welfare and purposes, and there being no appropriation heretofore made by the Common Council therefor, and it being necessary for the said city to borrow said One Hundred Five Thousand Dollars (\$105,000) in order to procure a fund to be devoted to the purposes of procuring certain fire and police apparatus, and to issue and sell these bonds in said amount, payable from the general revenues and funds of said city, or from the Sinking fund of said city, or as may be otherwise authorized or required by law, and as authorized by an act of the General Assembly of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto, and

WHEREAS, life and property of the said city and its citizens are being jeopardized by the lack of such equipment in the Indianapolis Police and Fire Departments and that an emergency now exists therefor;

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller be and he is hereby authorized, for the purpose of procuring money to be used for the purchase of certain Fire and Police apparatus in the City of Indianapolis; to prepare, issue and sell One Hundred and Five (105) new bonds of the City of Indianapolis, Marion County, Indiana, of One Thousand (\$1,000.00) Dollars each which bonds shall bear the date of January 1, 1927, and shall be numbered from one to one hundred and five (1-105) both inclusive, and shall be designated "Fire and Police Equipment Bonds of 1927" and shall bear interest at the rate of four and one-half (4½%) per cent. per annum payable semi-annually on the first day of January and the first day of July of each year of the period of said bonds. Said bonds shall be issued in eleven (11) series, each series to be composed of ten (10) bonds of One Thousand Dollars (\$1,000.00) each with the exception of the last series which shall be composed of five (5) bonds of One Thousand Dollars (\$1,000.00) each. The first series of said bonds shall be due and payable on January 1, 1928, and one of said series shall be due and payable on the first day of each year thereafter until and

including January 1, 1938.

The said interest on said bonds shall be evidenced by appropriate coupons and thereunto attached for the payment of said semi-annual interest and the first coupon attached to each bond shall be for the interest on said bonds from the date of issue until the first day of January, 1928. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's office of the City of Indianapolis, Indiana, at Indianapolis, Indiana; said bonds shall be signed by the Mayor and City Controller of the City of Indianapolis and attested by the City Clerk who shall affix the seal of said city to each of said bonds; and the interest coupons attached to said bonds shall be authenticated by a lithographic fac simile of the signatures of the Mayor and the City Controller of said city engraven thereon which shall for all purposes be taken and termed to be equivalent to a manual signing thereof; said bonds shall be prepared by the City Controller in due form irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein, respectively. It shall be the duty of the City Controller at the time of the issue and negotiation of said bonds to register in the books kept for that purpose, all said bonds so issued and negotiated in serial numbers beginning with bond Number One (1), giving also the date of the issuance, the amount, date of maturity, rate of interest, and the time and place where said interest shall be payable, and said bond shall be substantially in the following forms, all blanks for numbers and dates to be properly filled in before the issuance thereof;

No.-----

\$1,000.00

UNITED STATES OF AMERICA

CITY OF INDIANAPOLIS

MARION COUNTY

STATE OF INDIANA

FIRE AND POLICE EQUIPMENT BOND OF 1927.

For value received the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer on the first day of January 19—, at the City Treasurer's Office of the City of Indianapolis, Indiana, One Thousand Dollars (\$1,000) in lawful money of the United States of America together with interest thereon at the rate of four and one half per cent (4½%) per annum from date until paid.

The first interest payable on the first day of January, 1928, and the interest thereafter payable semi-annually on the first day of January and July respectively, upon the presentation and surrender of the proposed interest coupons, hereunto attached, and which are made a part of this bond.

This bond is one of an issue of One Hundred Five Bonds (105) of One Thousand Dollars (\$1,000.00) each numbered from one to one hundred and five (1-105) both inclusive, of date of January 1, 1927. Said bonds mature in eleven (11) series of ten (10) bonds for each series with the exception of the last series which shall consist of five (5) bonds, in the order and at the rate of one series each year for eleven (11) years, beginning January 1, 1928, and continuing at the rate of ten (10) bonds upon the first day of each year thereafter, with the exception of the last issue which shall be



for five (5) bonds, until and including January 1, 1938. These bonds are issued by the City of Indianapolis, Indiana, pursuant to an ordinance passed by the Common Council at the City of Indianapolis on the \_\_\_\_\_ day of \_\_\_\_\_, 1926, and an act of the General Assembly of the State of Indiana entitled "An Act Concerning Municipal Corporations" approved March 6, 1905, and all acts amendatory thereof and supplemental thereto.

It is hereby certified that all conditions, acts and things essential to the validity of this bond, exist, have happened, and have been done, and that all requirements of the law effecting the issuance thereof have been duly complied with, and that this bond is within every debt and other limit prescribed by the constitution and the laws of the State of Indiana, and the faith and credit of the City of Indianapolis, Indiana are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, has caused this bond to be signed by the Mayor and City Controller, attested by the City Clerk, and the corporate seal

of said City affixed thereunto, on this \_\_\_\_\_ day of \_\_\_\_\_, 1927.

---

Mayor

---

City Controller.

Attest:

---

City Clerk

Section 2. The City Controller shall, as soon as possible after the passage of this ordinance advertise for bids or proposals for said bonds by at least one insertion each week for two consecutive weeks in two daily newspapers of general circulation printed and published in the English language in the City of Indianapolis, Indiana, or as otherwise authorized or required by law. Such advertisement shall describe such bonds with such minuteness and particularity as the City Controller may see fit and shall set out the amount of the bonds to be sold and the rate of interest they may bear, that the bidder may bid for all or any part of said bonds; the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of deposit each bidder shall be required to make and when and where the bonds shall be delivered and paid for.

Section 3. Each and every bid and proposal shall be presented to the City Controller of the City of Indianapolis, Indiana, and shall be accompanied by a duly certified or cashier's check upon some accredited bank or trust company of the City of Indianapolis, Indiana, payable to the order of the City Treasurer for a sum of money which shall equal two and one-half (2½%) per cent. of the face or par value of the bonds bid for or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller until eleven o'clock



A. M., on the day fixed by the City Controller and designated in the advertisement for the receiving bids or proposals, at which time and place and between the said hour, and twelve o'clock noon of said day he shall open said bids or proposals. The City Controller shall award said bids or as he shall see fit a part or any number thereof, to the highest and best bidder therefor, but the said City Controller shall have the right to reject any and all such bids or proposals or any part of any bid and to award upon any bid the whole or a less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided.

Section 4. In case the City Controller shall reject all bids submitted; or if he shall award only a part of said bids he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix the date and the time both of receiving and opening of bids or proposals, and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time in like manner to readvertise said bonds for sale until said bonds are sold.

Section 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds by the City Controller he shall thereupon return to such unsuccessful bidder the certified or cashier's check accompanying the same. If the City Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified, or cashier's check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such nonpayment shall be taken and deemed a breach of contract for purchase of said bonds upon the part of the purchaser, and the City, in that event, shall have the right to readvertise said bonds for sale at once, and shall in such event retain said check and shall have the right to collect the same for its own use, and said check and proceeds thereof when collected shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the City. In case any successful bidder shall fail to complete the payment of the purchase price of the bonds so awarded and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered, and deemed as agreed and liquidated damages, for the breach of such bidders contract of purchase and shall be taken and deemed as a payment to the City for such damages and shall be retained and held by said city for its use, but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions thereof and his bid and award thereon, said proceeds of said certified or cashier's check shall thereupon be returned to such bidder, or at the option of the City Controller at the time of the completion of the sale in payment for the bonds said proceeds of said certified check may be

applied and deemed a payment on account of the purchase of said bonds.

Section 6. Delivery of any bonds sold shall be made at the office of the City Treasurer of the City of Indianapolis, Indiana, upon such day or days as may be specified in the advertisement or re-advertisement for proposals or within such time thereafter as may be fixed by the City Controller, or at such time or times as may be agreed upon by the City Controller and the purchaser or purchasers and the City Controller may extend the time for such delivery not more than ten (10) days after the date or day specified or agreed upon as above provided, and the successful bidder or bidders shall take the bond or bonds awarded to him or them and pay for the same at such place and times as above provided, and his or her refusal, neglect or omission to do so shall be a breach of contract of his bid or proposal on account of which damages shall be retained or recovered as liquidated as provided in this ordinance.

Section 7. The bonds taken and paid for to the satisfaction of the City Controller shall be a binding obligation upon the City of Indianapolis according to their tenor and effect and the proceeds derived from the sale or sales of bonds as herein authorized shall be and hereby are appropriated to the purchase of Police and Fire apparatus for the City of Indianapolis, Indiana.

Section 8. The Mayor, the City Controller and the Corporation Counsel are hereby authorized and directed to publish notices herein of the City's determination to issue bonds as required by law.

Section 9. This ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Albertson, Dorsett, Negley and Bartholomew.

#### ORDINANCES ON SECOND READING.

Mr. Bartholomew called for General Ordinance No. 86 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 86 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 86 was read a third time and failed to pass by unanimous vote of the Council.

On motion of Mr. Raub, seconded by Mr. Bartholomew, the Common Council resolved into a Committee of the Whole for the consideration of Traffic Ordinance No. 48, 1926.

President Moore appointed Mr. Raub as Chairman of the Committee of the Whole at 8:30 p. m.

At 9:45 p. m. the Council reconvened with a committee report from Mr. Raub that the Committee wished more time on General Ordinance No. 48, and would meet Tuesday, November 9, 1926, at 5:30 p. m., at the Spink-Arms Hotel, on invitation of the Hoosier Motor Club.

On motion of Mr. Bartholomew, seconded by Mr. Negley, the Common Council of the City of Indianapolis adjourned at 10 o'clock p. m.

*Boydton J. Moore*

President.

Attest:

*William A. Boyce Jr.*

City Clerk.

## REGULAR MEETING

Monday, November 15, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, November 15, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President and six members, viz.: O. Ray Albertson, Claude E. Negley, Robert E. Springsteen, Otis E. Bartholomew, Millard W. Ferguson and Walter R. Dorsett.

Absent: Edward B. Raub and Austin H. Todd.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Mr. Dorsett.

## REPORTS FROM CITY OFFICERS

November 15, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—I have been requested by the Board of Public Works to submit to you the attached General Ordinance transferring funds as follows:

Assessment Bureau, Account No. 72, transfer and re-appropriate \$196.65 to Assessment Bureau, Account No. 36, Office Supplies.

Transferring the sum of \$300.00 from Street Commissioners Account No. 32, and reappropriating the same to Public Buildings, Account No. 32.

Transferring the sum of \$282.25 from City Civil Engineer's Account No. 32 and reappropriating the same to Public Building Account No. 32.

Transferring the sum of \$100.00 from Administration Account No. 36, Board of Public Works, and reappropriating same to Administration Account No. 21.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.



November 11, 1926.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.*

Dear Sir—I am enclosing herewith Special Ordinance No. —, 1926, which has for its purpose the sale of eighteen horses by the Board of Park Commissioners of the City of Indianapolis.

The Board, on November 10, 1926, at its regular meeting passed Property Sale Resolution No. 2, 1926, in which they resolved to sell said eighteen horses, as required by law, and ordered me to take such steps to effect this act.

Yours truly,  
TELFORD B. ORBISON,  
Attorney for the  
BOARD OF PARK COMMISSIONERS.

November 15, 1926.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.*

Dear Mr. Boyce:—We are submitting herewith an ordinance which amend the Building Code relative to the Electrical Inspection and Fees.

Mr. Buser, Mr. Don Roberts and myself have made a study of this ordinance and recommend its passage.

Yours very truly,  
BERT J. WESTOVER,  
Commissioner of Buildings.

November 15, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—Attached herewith please find copies of a General Ordinance authorizing the City Controller to issue bonds in the Two Hundred Sixty Thousand (\$260,000.00) Dollars which is to pay judgments against the City of Indianapolis in Cause No. 40500, Marion Circuit Court.

I respectfully recommend the passage of this ordinance.

Yours,  
W. C. BUSER,  
City Controller.

August 16, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—Attached hereto are 13 copies of an Ordinance to amend General Ordinance No. 114, 1922, better known as the "Zoning Ordinance," by changing the south east and north east

corners of 46th St. and College Ave. from a residential district to a business district.

The City Plan Commission respectfully recommends that your Honorable Body take favorable action on this ordinance.

Very truly yours,

CITY PLAN COMMISSION

MACKLIN MARK,

Engineer.

#### REPORTS FROM COMMITTEES

Mr. Albertson, Chairman of the Committee on Finance, asked for more time on all ordinances in that Committee.

Mr. Ferguson, Chairman of a Special Committee, asked for more time on ordinances in his Committee.

#### INTRODUCTION OF GENERAL ORDINANCES

By the City Comptroller:

#### GENERAL ORDINANCE NO. 95, 1926

AN ORDINANCE, Transferring the sum of \$196.65 from Assessment Bureau, Account No. 72, Equipment, of the Board of Public Works of the City of Indianapolis to Account No. 36, Office Supplies, of Assessment Bureau of said Board and reappropriating said sum for such purposes; and to transfer the sum of \$300.00 from Street Commissioners Account No. 32, Fuel and Ice, of the said Board of Public Works, to Public Building Account No. 32, of said Board and reappropriating the same; and transferring the sum of \$282.25 from City Civil Engineers Account No. 32, of said Board to Public Building Account No. 32, of said Board and reappropriating the same; and transferring the sum of \$100.00 from Administration Account No. 36, of said Board to Administration Account No. 21, of said Board and reappropriating the same for such purposes and fixing a time when said ordinance shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of \$196.65 is hereby transferred from Assessment Bureau, Account No. 72, Equipment, of said Board of Public Works of the City of Indianapolis, is hereby transferred from and appropriated to Account No. 36, Office Supplies of the Assessment Bureau of said Board, and the sum of \$300.00 is hereby transferred from Street Commissioners Account No. 32, Fuel and Ice, of said Board to, and appropriated to Public Buildings Account No. 32, of said Board, and the sum of \$282.25, in City Civil Engineers Account No. 32, of said Board is hereby transferred and appropriated to Public Building Account No. 32, of said Board

and the sum of \$100.00 is hereby transferred from Administration Account No. 36, of said Board to and appropriated to Administration Account No. 21.

Section 2. This Ordinance, shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the Park Board:

#### GENERAL ORDINANCE NO. 96, 1926

AN ORDINANCE, Authorizing the sale of certain personal property by the Board of Park Commissioners of the Department of Public Parks of the City of Indianapolis, Indiana, and fixing the time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the Board of Park Commissioners of the City of Indianapolis is hereby authorized to sell, and convey for cash, at public or private sale, for not less than the appraised value, which value is to be hereinafter determined by appraisers appointed by the Judge of the Circuit Court of Marion County, Indiana, as required by law, the following described personal property, i. e., eighteen horses, in Indianapolis, Marion County, Indiana, to-wit:

Name	Color	Age	Weight	Height
Logan	grey	20 years	1600 lbs.	16½ hands
Billie	grey	12 years	1600 lbs.	16½ hands
Prince	sorrell	18 years	1600 lbs.	16 hands
Barney	grey	18 years	1600 lbs.	16 hands
Billy	bay	23 years	1400 lbs.	15½ hands
Fannie	grey	22 years	1500 lbs.	15 hands
Bessie	grey	22 years	1500 lbs.	15 hands
Sam	grey	18 years	1500 lbs.	16½ hands
George	grey	18 years	1500 lbs.	16½ hands
Governor	black	20 years	1800 lbs.	17 hands
Fred	bay	16 years	1100 lbs.	15½ hands
Charley	bay	14 years	1100 lbs.	15 hands
Coley	black	17 years	1500 lbs.	15½ hands
Charley	dapple gray	16 years	1550 lbs.	16 hands
Billy	grey	22 years	1600 lbs.	15½ hands
Jim	grey	21 years	1500 lbs.	16 hands
Frank	grey	21 years	1500 lbs.	16 hands
Ben	black	18 years	1600 lbs.	15½ hands

belonging to the City of Indianapolis, Department of Public Parks, and in the care and custody of the said Board of Park Commissioners and which are no longer fit or needed for Park purposes.

That said personal property shall be sold at public or private sale upon such notice or notices as the Board of Park Commissioners may determine.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on Finance.

By the Building Commissioners:

#### GENERAL ORDINANCE NO. 97, 1926

AN ORDINANCE, To amend Paragraphs (b) and (c) of Section D-408 and Paragraphs (q) and (s) of Section A-223 of General Ordinance No. 121, 1925, entitled, "An Ordinance Concerning the Government of the City of Indianapolis, Providing Penalties for its violation and, with Stated Exceptions, Repealing all former Ordinances."

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

That Sections D-408 and A-223 of General Ordinance No. 121-1925 be amended as follows:

Section 1. By striking out of and from said Section D-408 entitled Electrical Inspection, all of Paragraph (b) of said Section and inserting, in lieu thereof, the following:

(b) The electrical inspection agency so employed shall collect for its services the fees herein elsewhere provided and shall pay to the City of Indianapolis, through the City Controller, 15% of all such fees so collected and, in addition to such 15%, said agency shall account for and pay to said City the difference between the remaining 85% of fees so collected during any year it may be employed to perform such services and the cost to such agency of performing said services during such year. The time and method of payment of such 15% so payable to the City of Indianapolis and the time and method of payment of such additional amount, if any, and of determining such difference shall be fixed by the annual contract of employment provided in Paragraph (a) of this Section.

Section 2. By striking out of and from Paragraph (c) of Section D-408 all said paragraph and by inserting, in lieu thereof, the following:

(c) "Such agency shall periodically furnish to the Bureau of Buildings reports of its inspections and services hereunder, at such periods and in such forms as the Commissioner of Buildings may require."

Section 3. By striking out of said Section A-223 all of Paragraph (q) thereof and by inserting in lieu thereof, the following:

(q) The fees to be charged for a permit to install electrical motors, devices, or machines on power circuits shall be as follows:

¼ horse power to one horse power	\$1.50
Over 1 horse power to 10 horse power	2.00
Over 10 horse power to 20 horse power	3.00
Over 20 horse power to 50 horse power	4.00
Over 50 horse power	5.00



Each additional motor, device, or machine covered by the same inspection, as follows:

Not over one horse power -----	\$1.00
Over 1 horse power to 10 horse power -----	1.50
Over 10 horse power to 20 horse power -----	2.00
Over 20 horse power to 50 horse power -----	2.50
Over 50 horse power -----	3.00

Wherever horse power is referred to in this paragraph, the same shall be construed as horse power or kilowatt as the case may be.

Section 4. By adding the following at the end of Paragraph (s) of Section A-223. "The minimum fee to be charged for a permit to install lighting circuits to which fixtures and also small motors are connected and where the entire installation is inspected at one time the fee shall be as provided in Paragraph (p) of this Section, plus 50% of the respective fixture fees provided above, provided however, that the fee for inspection of the installation of one lighting circuit with the fixtures attached thereto and which are inspected on one trip shall be \$2.50.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approved by the Mayor.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 98, 1926

AN ORDINANCE, To establish rules and safety regulations governing the employment and services of window washers, painters, and all persons whose work and duties takes them onto the outer ledges of windows or onto the outer surfaces of any and all structures more than four stories in height within the corporate limits of the City of Indianapolis, defining the violations thereof, declaring a penalty for the violation thereof, and designating a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. It shall be unlawful for any person employed as a windowwasher, painter, or in any other capacity, to stand on the outer ledge of any window or to remain on the outer surface of any building, which building is four stories or more in height, without being constantly secured to such building by means of a safety belt or strap one end of which must be securely fastened to such persons body and the other end of which must be securely hooked or fastened to a safety or hook provided on such building for such purposes as designated in Section A-341 of the 1925 Indianapolis Building Code.

Section 2. It shall be unlawful for the owner or owners of any building four stories or more in height, or for the superintendent of any such building, to permit a window-washer, painter, or

other person, to stand or remain on the outer ledge or surface of any such building, in violation of the provisions of Section one of this ordinance.

Section 3. The provisions of this ordinance shall not apply to buildings in the process of construction or to workmen employed in the construction of buildings.

Section 4. Any person violating any of the provisions of the first two sections of this ordinance shall, on conviction, be fined in any sum not less than ten dollars nor more than fifty dollars, and for the second or subsequent offense imprisonment not exceeding thirty days may be added thereto.

Section 5. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

Which was read a first time and referred to the Committee on Public Safety.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 99, 1926

AN ORDINANCE, To amend Section 846 of General Ordinance No. 121, 1925 entitled, "An Ordinance concerning the Government of the City of Indianapolis," providing penalties for its violation, and with state exceptions repealing all former ordinances.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

That Section 846 of General Ordinance No. 121, 1925 be amended to read as follows:

It shall be unlawful for any person to own or operate any automobile, taxicab or motor vehicle as is described in Section 845 of General Ordinance No. 121, 1925, unless the name of the owner of such automobile, taxicab or motor vehicle shall, while such vehicle is in use carrying or waiting for passengers, be displayed on each side of said vehicle in letters not less than two and one half inches in height in such a manner as to be readily distinguishable and readable by the general public, provided, however, that such owner may have in lieu thereof a distinctive device or design on each side of said vehicles not less than six inches in length by six inches in width which shall be readily distinguishable by the general public and which shall bear the name of such owner thereon.

Which was read a first time and referred to the Committee on Public Safety.

By the City Comptroller:

#### GENERAL ORDINANCE NO. 100, 1926

AN ORDINANCE, Providing for and authorizing the City Comptroller for and on behalf of the City of Indianapolis, to bor-

row the sum of \$260,000.00, for the purpose of procuring money with which to pay judgment against the City of Indianapolis, authorizing the issuance of bonds evidencing such loans, fixing the term and tenure of such bonds, together with their maturities, providing for the sale of the same by the City Comptroller, all in accordance with the provisions of an Act of the General Assembly of the State of Indiana entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all Acts amendatory and supplemental thereto, and fixing a time when this ordinance shall take effect.

WHEREAS, there have been recovered judgments against the City of Indianapolis upon contracts and supplies furnished the City of Indianapolis, aggregating the sum of \$260,000.00, in the Marion Circuit Court, in cause numbered:  
40500, as consolidated.

*Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Comptroller be, and he is now hereby authorized to borrow the sum of \$260,000.00 for the purpose of paying judgments against the City of Indianapolis, as hereinbefore set out, evidencing such loan by the issuance of \$260,000.00 of new bonds of the City of Indianapolis, Marion County, Indiana, being two hundred sixty bonds of the denomination of one thousand dollars each.

That said bonds, and each of them shall bear the date of January 1st, 1927, and shall be numbered from one to two hundred sixty, consecutively and inclusive, and shall be designated as "Municipal Judgment Bonds of 1927," that said bonds and each of them shall bear interest at the rate of 4½ % per annum, payable semi-annually on the first day of January and July of each year, of the period of such bonds, except as hereinafter set out.

Eighty-six of said bonds shall mature and be payable on the first day of January, 1929, constituting the first series.

Eighty-seven of said bonds shall mature and be payable on the first day of January, 1930, constituting the second series.

Eighty-seven of said bonds shall mature and be payable on the first day of January, 1931, constituting a third series.

The first coupon attached to each bond shall be for the interest on said bond from the date of issue until the first day of July, 1928. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's office of the City of Indianapolis, at Indianapolis, Indiana; said bonds shall be signed by the Mayor and City Controller of the City of Indianapolis and attested by the City Clerk, who shall affix the seal of said city to each of said bonds; and the interest coupons attached to said bonds shall be authenticated by a lithographic facsimile of the signatures of the Mayor and the City Controller of said city engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof; said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller, at the time of the issue and nego-

tiation of said bonds, to register in the book kept for that purpose all of said bonds so issued and negotiated in serial number beginning with bond Number One (1) giving also the date of their issuance, their amount, date of their maturity, rate of interest and the time and place where said interest shall be payable, and said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No. \_\_\_\_\_

\$1000.00

UNITED STATES OF AMERICA  
CITY OF INDIANAPOLIS  
MARION COUNTY, STATE OF INDIANA  
MUNICIPAL JUDGMENT BONDS OF 1927

For value received, the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer without any relief from valuation or appraisement laws, on the 1st day of \_\_\_\_\_, 19\_\_\_\_, at the City Treasurer's Office of the City of Indianapolis, Indiana, One Thousand (\$1000.00) Dollars in lawful money of the United States of America together with interest thereon at the rate of four and one-half ( $4\frac{1}{2}$ ) per cent, per annum, from date until paid, the first interest hereon being payable on the 1st day of \_\_\_\_\_, 19\_\_\_\_, and the interest thereafter being payable semi-annually on the 1st day of \_\_\_\_\_ and July, respectively upon presentation and surrender of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of an issue of two hundred and sixty (260) bonds of One Thousand (\$1000.00) Dollars each, numbered from one (1) to two hundred and sixty (260) both inclusive of the date of the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. Said bonds mature and shall be payable in a series of eighty-six on the 1st day of January, 1929, and the second eighty-seven on the 1st day of January, 1930, and the third eighty-seven of such bonds shall mature and be payable on the 1st day of January, 1931. The first interest coupon shall be payable on the 1st day of July, 1928. These bonds are issued by said City of Indianapolis pursuant to an Ordinance of said City, passed by its Common Council at the City of Indianapolis, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and to an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations" approved March 6, 1905, and all acts amendatory thereof and supplemental thereto.

It is hereby certified that all conditions, acts and things essential to the validity of this bond exist, have happened and have been done, and that all requirements of the law affecting the issuance thereof have been duly complied with and that this bond is within every debt and other limit prescribed by the constitution and law of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.



IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Controller, and attested by the City Clerk and the corporate seal of said city to be hereunto affixed this as of the

----- day of -----, 19-----.

-----  
Mayor

-----  
City Controller

Attest:

-----  
City Clerk

Section 2. The City Controller before making sale of such bonds shall give notices as provided for by law.

Sealed bids shall be received thereon by the Controller, as specified in said notice, of receiving bids, from which sealed bids, sale shall be made by the Controller thereof to the highest and best bidder. The said Controller, however, shall have the right and privilege of rejecting all bids which may be submitted upon said notice.

This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman, Messrs. Albertson, Dorsett, Bartholomew and Negley.

By the City Plan Commission:

#### GENERAL ORDINANCE NO. 101, 1926

AN ORDINANCE, To amend General Ordinance No. 114, 1922, entitled: "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses; of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city. creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the U3 or business district, the A3 or 2400 square foot area district and the H1 or 50-foot height district, as established by General Ordinance No. 114, 1922, be and the same

are hereby amended, supplemented and changed so as to include the following described territory:

A. Beginning on the south property line of E. 46th St. at its intersection with the east property line of College Ave.; thence south along the east property line of College Ave. a distance of 99.75 ft.; thence east and parallel to the south property line of 46th St. to the west property line of the first alley east of College Ave.; thence north with the west property line of said alley to the south property line of 46th St.; thence west with the south property line of 46th St. to the point or place of beginning.

B. Beginning on the north property line of E. 46th St. at its intersection with the east property line of College Ave.; thence east with the north property line of 46th St. to the west property line of the first alley east of College Ave.; thence north and along the west property line of said alley a distance of 60 ft.; thence west and parallel to the north property line of 46th St. to the east property line of College Ave.; thence south along the east property line of College Ave. to the point or place of beginning.

Section 2. This Ordinance shall be in full force and effect upon its passage and publication according to law.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Bartholomew:

#### GENERAL ORDINANCE NO. 102, 1926

AN ORDINANCE, To amend General Ordinance No. 121, of year 1925, entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with state exceptions, repealing all former ordinances," by creating and adding to Division D-Part Five of Section 865 of said General Ordinance eight new sections to be numbered Section D-508; Section D-509. Section D-510; Section D-511; Section D-512; Section D-513; Section D-514 and Section D-515, providing a penalty for the violation of the provisions of said new Sections, repealing all ordinances and parts of ordinances in conflict therewith, and fixing a time when the same shall take effect and be in force.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-508. That in the installation of wires or apparatus for electric light, heat or power purposes in the City of Indianapolis, Indiana, open work on knobs or cleats may be used only in localities where excessive moisture, acid fumes or corrosive vapors exist, and before the use of open work for wiring on knobs or cleats shall be permitted the Commissioner of Buildings shall decide

whether or not excessive moisture, acid fumes or corrosive vapors exist in the locality where the open work will be used and permit shall be obtained from the City Controller after application approved by the Commissioner of Buildings on plans and specifications approved by the Commissioner of Buildings and kept on file with him.

Section 2. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances and to read as follows:

Section D-509. That in the installation of wires or apparatus for electric light, heat or power purposes in the City of Indianapolis, Indiana, metal construction only shall be used in concealed wiring.

Section 3. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-510. That in the installation of wires or apparatus for electric light, heat or power purposes in the City of Indianapolis, Indiana, wood moulding or non-metallic sheathed cable shall not be used.

Section 4. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-511. That in the installation of wires or apparatus for electric light, heat or power purposes in the City of Indianapolis, Indiana, in cottages, residences and apartments, one convenience outlet or wall receptacle with pilot light shall be provided in each kitchen and basement laundry which shall not be connected to a circuit with lighting outlets.

Section 5. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-512. That in the installation of wires or apparatus for electric light, heat or power purposes in the City of Indianapolis, Indiana, all service wires, aerial and underground, entering a building shall terminate within ten feet from point of entrance on a panel board, switch board, oil switch or externally operated switch and all wires shall be incased in rigid metal conduit.

Section 6. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-513. Any person who shall violate any of the regulations, requirements or other provision of said new Section

D-508, Section D-509, Section D-510, Section D-511, and Section D-512 and Sections 1, 2, 3, 4, 5 hereof and any corporation or official or employee of any corporation who shall violate or direct or permit any of the regulations, requirements or other provision of said new Section D-508, Section D-509, Section D-510, Section D-511 and Section D-512 and Sections 1, 2, 3, 4, 5 hereof to be violated shall be fined in any sum not exceeding Three Hundred (\$300) Dollars.

Section 7. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-514. All ordinances or parts of ordinances in conflict with the provisions of said new Sections D-508, D-509, D-510, D-511, D-512 and Sections, 1, 2, 3, 4, and 5 herein are hereby repealed.

Section 8. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-515. This ordinance, meaning said new Sections D-508, D-509, D-510, D-511, D-512, D-513, D-514 and D-515 and Sections 1, 2, 3, 4, 5, 6, 7, and 8 hereof, shall take effect and be in force from and after its passage and publication once each week for two consecutive weeks in a daily newspaper of general circulation published in the City of Indianapolis, Indiana.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Albertson:

#### GENERAL ORDINANCE NO. 103, 1926

AN ORDINANCE, To prohibit the erection of billboards and advertising thereon within a distance of three hundred feet of any and all boulevards in the corporate limits of Indianapolis, Indiana, defining the violations thereof, declaring a penalty for the violation thereof, and designating a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. No billboard or other structure or device used for the display of advertisements shall be erected within a distance of three hundred feet of any and all boulevards within the corporate limits of the City of Indianapolis.

Section 2. All billboards or other structures or devices now in use for the display of advertisements which are located within a distance of three hundred feet of any boulevard within the corporate limits of said City shall be vacated, demolished and re-



moved from such location within ninety days after the taking effect of this ordinance.

Section 3. Any person, firm, or corporation owning or leasing or operating or causing to be leased or operated any such billboard or similar device for the display of advertisements in violation of the provisions of Sections one and two of this ordinance shall be considered as violating the provisions of this ordinance.

Section 4. The provisions of this ordinance shall not apply to billboards of similiar devices for the display of advertisements which are located on the top of buildings provided such building is two or more stories in height.

Section 5. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction, be fined in any sum not less than one hundred dollars and not exceeding five hundred dollars and any seven days' maintenance of such billboard in violation of the provisions of this ordinance shall be taken and held to mean to be a separate and distinct violation hereof.

Section 6. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

Which was read a first time and referred to the Committee on Parks.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 104, 1926

AN ORDINANCE, Amending General Ordinance No. 114, 1922, entitled: "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specific uses: of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within the City; creating a board of Zoning appeals; defining certain terems used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the U3 or business district, the A4 or 1200 square foot area district, and the H1 or 50-foot height district, as established by General Ordinance No. 114, 1922, be and the same are hereby amended, supplemented and changed so as to include the following described territory.

A. Beginning at a point on the east property line of Delaware St.; said point being 690 ft. north of the north property line of 25th St.; thence east and parallel to the north property line of 25th St. to the west property line of the first alley east of Delaware St.; thence north along the west property line of said alley

to the south property line of Fall Creek Parkway, South Drive; thence southwesterly along said Parkway, South Drive, to the east property line of Delaware St.; thence south along the east property line of Delaware St. to the point or place of beginning.

B. Beginning at a point on the west property line of Delaware St., said point being 550 ft. north of the north property line of 25th St.; thence west and parallel to the north property line of 25th St. a distance of 72 ft.; thence north and parallel to the west property line of Delaware St. to the south property line of Fall Creek Parkway, South Drive; thence northeasterly along the south property line of said Parkway, South Drive, to the west property line of Delaware St.; thence south along the west property line of Delaware St. to the point or place of beginning.

C. Beginning on the north property line of 25th St. at its intersection with the west property line of the first alley east of Delaware St.; thence north with the west property line of said alley a distance of 690 ft.; thence west and parallel to the north property line of 25th St. to the east property line of Delaware St.; thence south with the west property line of Delaware St. a distance of 140 ft.; thence west and parallel to the north property line of 25th St. to the east property line of the first alley west of Delaware St.; thence south with the east property line of the said alley to the north property line of 25th St.; thence east with the north property line of 25th St. to the point or place of beginning.

Secion 2. This Ordinance shall be in full force and effect upon its passage and publication according to law.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 105, 1926

AN ORDINANCE, Amending Section 841 of General Ordinance No. 125, 1925, and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Section 841 of General Ordinance No. 125, 1925, be and the same is hereby amended to read as follows.

"Section 841. Taxicab Meters. It shall be unlawful for any person to own or operate any automobile, taxicab or other motor vehicle engaged in carrying passengers for hire between places within the City of Indianapolis unless said automobile, taxicab or motor vehicle is equipped with a practicable standard fare register device or taximeter, in good and workable condition, designed to mechanically measure the distance traveled, to record the time said vehicle is in waiting, and upon which said record there shall be indicated by means of figures or designs the fare to be charged.

It shall be unlawful for any person owning or operating an automobile, taxicab or other motor vehicle to charge any passenger

or persons employing said automobile, taxicab or other motor vehicle any fare greater than the fare computed during the service rendered by the taximeter on said automobile, taxicab or motor vehicle. It shall be the duty of every person owning or operating an automobile, taxicab or other vehicle, as in this section described, to keep the taximeter thereon in a good and workable condition, and at the beginning of every employment to set said taximeter in the usual way so that it will register and compute on a mileage basis, while said vehicle is running, and a time basis while waiting, and while the service is being rendered the fare to be charged. And such taximeter shall be so placed that the face thereof, where the face is registered, will be plainly visible to passengers within said vehicle. Such service may be rendered passengers at a rate per hour not in excess of that rate now provided by law when and only when, an express contract is made with such passenger or passengers by the owner or operator of said vehicle before the service rendered is begun. The provisions of this section shall not apply to motor vehicles, or to the owners or operators thereof, carrying passengers for fifteen cents each or less."

Section 2. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

Which was read a first time and referred to the Committee on Public Works.

By Mr. Bartholomew:

#### SPECIAL ORDINANCE NO. 5, 1926

AN ORDINANCE, Annexing certain territory to the City of Indianapolis, Indiana, and defining a part of the boundary line of said City, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City of Indianapolis be and the same is hereby extended so as to include the following described continuous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, Indiana.

Section 2. Beginning on the center line of Keystone Ave. at its intersection with the center line of Walker Ave.; thence south with the center line of Keystone Ave. to the center line of Southern Ave.; thence east with the center line of Southern Ave. to the center line of Churchman Ave.; thence southeast with the center line of Churchman Ave. to the center line of Perkins St.; thence south with the center line of Perkins St. to the center line of Albany St.; thence east with the center line of Albany St. to the center line of Sherman Drive, (also known as 17th St.); thence south with the center line of Sherman Drive to a point, said point being where the center line of Cincinnati St. extended west would intersect with the center line of Sherman Drive; thence east with said center line extended and the center line of Cincinnati St. to the center line of Garstang St.; thence northwest with the center line

of Garstang St. to the center line of Emerson Ave.; thence north with the center line of Emerson Ave. to the center line of Bethel Ave.; thence northwest with the center line of Bethel Ave. to the center line Southern Ave.; thence west with the center line of Southern Ave. to the center line of Hobert St.; thence north with the center line of Hobert St. to the center line of Raymond St.; thence west with the center line of Raymond St. to the center line of Keystone Ave.; thence south with the center line of Keystone Ave. to the point or place of beginning.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Dorsett:

#### RESOLUTION NO. 13, 1926

WHEREAS, it has been brought to the attention of the Common Council that the Indianapolis Light & Heat Company and the Merchants Heat & Light Company are proposing to merge upon a valuation of approximately fifty-five million dollars, and that:

WHEREAS, if such merger is accomplished and approved by the Public Service Commission there is every probability that such a merger will necessarily produce an increase in the power and light rates in the City and would be disastrous to the public and private interests and the development of said City, and

WHEREAS, a responsible concern has offered to produce such power and light to serve the City of Indianapolis at rates equal to and less than the rates now charged by either of said companies in the City of Indianapolis, providing the City will subscribe for a portion of the common capital stock of such company, and

WHEREAS, it has been proposed by such company that such power company deliver in the City of Indianapolis, to consumers, at not to exceed twenty million dollars within fifteen months herefrom, and

WHEREAS, it will be necessary, in order to fully ascertain the true value of the plants of the Indianapolis Light and Heat Company and the Merchants Heat & Light Company, together with the proposal of the new company to furnish such power and light to said city, and

WHEREAS, in order to make such investigation it will be necessary to employ counsel and expert engineers familiar with such plants to make such preliminary survey and fully inform this council as to the propriety and desirability of taking steps to prevent such merger and to provide for such power and light at the best possible rates, looking towards the best development of this city, now, therefore,

BE IT RESOLVED, that the Common Council declares itself unalterably opposed to such merger as proposed, now by the petition of the Indianapolis Light & Heat Company and the Merchants Heat & Light Company pending before the Public Service Com-



mission of the State of Indiana, and that it is necessary for the interest of said City to procure power and light at the best possible rate, and that in the opinion of this Council such rate can best be procured by a municipal plant organized by the City of Indianapolis, as had been organized by a great many other cities in the State of Indiana, by the City purchasing a majority of the common capital stock of said corporation, and said corporation negotiating preferred stock for the remaining funds necessary to finance said project.

BE IT FURTHER RESOLVED, that for the purpose of making a full and careful investigation and survey of the light and heat situation in the City of Indianapolis and the proposed offer to furnish such light and heat at reasonable rates to such City, by way of a municipal plant as according to the plan heretofore adopted in many cities of the State of Indiana, such plans in every instance having proven profitable and desirable, now, therefore,

BE IT ORDAINED by the Common Council of the City of Indianapolis for the purpose hereinbefore stated, there is now appropriated for the purpose of such survey and investigation the sum of \$5,000.00, to be used in employing engineers and counsel to advise the Common Council of the City of Indianapolis as to the propriety and desirability of entering into the contracts for the purchase of the common stock of such corporation and entering into general contracts for services with such corporation, as may be desirable.

BE IT FURTHER ORDAINED by the Common Council of the City of Indianapolis that the following named members of the Council shall constitute a committee, fully authorized to employ such counsel and engineers and that the City Comptroller is hereby directed and ordered to issue warrants for the services of such engineers and counsel when so selected by the said Committee, upon order of said Committee, to-wit:

and that the treasurer of the City of Indianapolis is hereby authorized and ordered to pay such warrants so issued under the authority of such resolution and ordinance and that this ordinance shall be in full force and effect from and after its passage and the signature of the Mayor of the City of Indianapolis.

Which was read a first time and referred to a Special Committee consisting of Mr. Dorsett, Chairman, Messrs. Bartholomew, Ferguson, Negley and Albertson.

Mr. Bartholomew announced that there would be a meeting of the Committees on City Welfare and Parks on Friday, November 26, 1926 at one o'clock in the Council Chamber.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, the Common Council of the City of Indianapolis adjourned at eight-thirty o'clock p. m.

*Baynton J. Moore*

**President.**

Attest:

*William A. Boyce Jr.*

City Clerk.



## SPECIAL MEETING

Monday, November 22, 1926.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, November 22, 1926, at 7:30 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

November 19, 1926.

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a Special Meeting of the Common Council held in the Council Chamber on Monday, November 22, 1926, at 7:30 p. m., the purpose of such Special Meeting being to consider all ordinances pending in the Council and to receive all communications from the Mayor and City Officers.

Respectfully,

BOYNTON J. MOORE,  
President, Common Council.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of such Special Meeting, pursuant to the rules.

In Witness Whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

WILLIAM A. BOYCE, Jr.

(SEAL)

City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and seven members, viz.: Claude E. Negley, Robert E. Springsteen, O. Ray Albertson, Walter R. Dorsett, Millard W. Ferguson, Otis E. Bartholomew and Austin H. Todd.

Absent: Edward B. Raub.

The reading of the journal was dispensed with on motion of Mr. Dorsett, seconded by Dr. Todd.



## REPORTS FROM CITY OFFICERS.

November 22, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—On November 16th the Board of Public Safety passed a resolution requesting me to amend the \$105,000.00 Bond Ordinance for the Police and Fire Equipment to \$150,000.00. Attached you will please find a copy of the letter received by me from the Board of Public Safety.

I respectfully recommend that this Bond Ordinance be amended as per attached amendment.

Yours,

W. C. BUSER,  
City Controller.

November 16, 1926.

*Mr. Wm. C. Buser, City Controller, City of Indianapolis, Indiana:*

Dear Sir—At the meeting of the Board of Safety held today, the following resolution was unanimously adopted by the Board:

"BE IT RESOLVED, by the Board of Public Safety of the City of Indianapolis, that after careful consideration we find that our resolution of November 3, 1926, requesting the City Controller to prepare a bond issue for One Hundred Five Thousand (\$105,000) Dollars for the purchase of certain fire and police apparatus and equipment for the use of the Indianapolis Fire and Police Department, under the Board of Public Safety, of the City of Indianapolis, Indiana, is insufficient and we now hereby request you to ask the Common Council of the City of Indianapolis to amend said ordinance to read in the sum of One Hundred Fifty Thousand (\$150,000) Dollars

Yours very truly,

BOARD OF PUBLIC SAFETY,

(Signed) CLAUDE C. McCOY,

Executive Secretary.

## REPORTS FROM COMMITTEES.

November 22, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—We, your Committee on Public Safety to whom was referred General Ordinance No. 27, 1926, entitled, an Ordinance prohibiting the use by Interurban Companies between certain designated hours of more than one freight trailer over and on the City streets, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed after being amended.

C. E. NEGLEY, Chairman.  
A. H. TODD  
M. W. FERGUSON  
WALTER R. DORSETT.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Special, to whom was referred General Ordinance No. 79, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

M. W. FERGUSON.

A. H. TODD.

O. E. BARTHOLOMEW.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Law Judiciary, to whom was referred General Ordinance No. 82, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

A. H. TODD, Chairman.

O. E. BARTHOLOMEW.

C. E. NEGLEY.

ROBT. E. SPRINGSTEIN.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special committee to whom was referred General Ordinance No. 83, 1926, beg leave to report that we have had said ordinance under consideration, and recommended that the same be passed.

M. W. FERGUSON.

OTIS E. BARTHOLOMEW.

C. E. NEGLEY.

WALTER R. DORSETT.

O. RAY ALBERTSON.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special committee, to whom was referred General Ordinance No. 84, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

M. W. FERGUSON.

A. H. TODD.

WALTER R. DORSETT.

C. E. NEGLEY.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee, to whom was referred Ordinance No. 88, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

M. W. FERGUSON.

A. H. TODD.

WALTER R. DORSETT.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee, to whom was referred General Ordinance No. 89, 1926, entitled, \$4,000 to be transferred from Fund 33 Police Dept., to Fund 72 Equipment, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

WALTER R. DORSETT, Chairman.

M. W. FERGUSON.

O. E. BARTHOLOMEW.

C. E. NEGLEY.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee to whom was referred General Ordinance No. 91, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

M. W. FERGUSON.

A. H. TODD.

C. E. NEGLEY.

O. E. BARTHOLOMEW.

WALTER R. DORSETT.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 93, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman.

O. E. BARTHOLOMEW.

WALTER R. DORSETT.

A. H. TODD.

C. E. NEGLEY.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee, to whom was referred General Ordinance No. 94, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

M. W. FERGUSON.  
O. E. BARTHOLOMEW.  
C. E. NEGLEY.  
WALTER R. DORSETT.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 96, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman.  
O. E. BARTHOLOMEW.  
A. H. TODD.  
C. E. NEGLEY.  
WALTER R. DORSETT.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Safety, to whom was referred General Ordinance No. 98, 1926, entitled, an Ordinance to establish rules and safety regulations governing the employment and services of window washers, painters, and all persons whose work and duties takes them onto the outer ledges of windows and onto the outer surfaces of any and all structures four stories or more in height, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

C. E. NEGLEY, Chairman.  
A. H. TODD.  
M. W. FERGUSON.  
O. E. BARTHOLOMEW.  
WALTER R. DORSETT.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Safety, to whom was referred General Ordinance No. 99, 1926, entitled, an ordinance to amend 846 of General Ordinance No. 121, 1925, entitled "to read



as follows," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

C. E. NEGLEY, Chairman.  
O. RAY ALBERTSON.  
A. H. TODD.  
OTIS E. BARTHOLOMEW.  
WALTER R. DORSETT.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Special Committee, to whom was referred General Ordinance No. 100, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

M. W. FERGUSON.  
O. RAY ALBERTSON.  
C. E. NEGLEY.  
OTIS E. BARTHOLOMEW.  
WALTER R. DORSETT.

Indianapolis, Ind., November 22, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Board of Works, to whom was referred Ordinance No. 105, 1926, entitled, an ordinance amending Section 841 of General Ordinance No. 125, 1925, and declaring a time when the same shall take effect, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WALTER R. DORSETT, Chairman.  
OTIS E. BARTHOLOMEW.  
C. E. NEGLEY.  
O. RAY ALBERTSON.

## CALL FOR ORDINANCES ON SECOND READING

Dr. Todd called for General Ordinance No. 82 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Dorsett, General Ordinance No. 82 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 82 was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Negley, Springsteen, Todd and President Moore.

Noes, 1, viz.: Mr. Albertson.

Mr. Bartholomew called for General Ordinance No. 93 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the following amendment to General Ordinance No. 93 was adopted unanimously by the Council:

Indianapolis, Ind., November 22, 1926.

*Mr. President:*

I move that General Ordinance No. 93, 1926, be amended by striking out "Dec. 20th, 1926" wherever it appears in said ordinance and inserting in lieu thereof the following: "Dec. 24th, 1926."

O. E. BARTHOLOMEW,

Councilman.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 93, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 93 was read a third time and passed by unanimous vote.

Mr. Dorsett called for General Ordinance No. 89 for second reading. It was read a second time.

On motion of Mr. Dorsett, seconded by Dr. Todd, the following amendment to General Ordinance No. 89 was unanimously adopted:

Indianapolis, Ind., November 22, 1926.

*Mr. President:*

I move that General Ordinance No. 89, 1926, be amended to approve the purchase of one Marmon Sedan automobile, the value of which is in excess of the statutory limit of \$2,000.00, and the trade in of one 1923 model Marmon touring therefore.

WALTER R. DORSETT,

Councilman.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 89, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 89 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 94 for second reading. It was read a second time.

On motion of Mr. Ferguson, seconded by Mr. Bartholomew, the following amendment to General Ordinance No. 94 was unanimously adopted:

Indianapolis, Ind., November 22, 1926.

*Mr. President:*

I move that General Ordinance No. 94, 1926, be amended to read as follows:

GENERAL ORDINANCE No. 94, 1926.  
(As Amended)

AN ORDINANCE, authorizing the borrowing of One Hundred Fifty Thousand Dollars (\$150,000.00) and the sale of one hundred fifty bonds of One Thousand Dollars (\$1,000) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said City, or from the sinking fund of said City, or as may be required by law, for the purpose of procuring money to be used for the purchase of certain equipment to be used in the Indianapolis Police and Indianapolis Fire Department and providing for the time and manner of advertising the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale and fixing a time when this ordinance shall take effect.

WHEREAS, there is not now and will not be sufficient funds in the treasury of the City of Indianapolis with which to meet the aforesaid expenditure for the aforesaid public welfare and purposes, and there being no appropriations heretofore made by the Common Council therefor and it being necessary for the said City to borrow One Hundred Fifty Thousand Dollars (\$150,000.00) in order to procure a fund to be devoted to the purpose of procuring certain Fire and Police apparatus, and to issue and sell these bonds in said amounts, payable from the general revenues and fund of said City, or from the sinking fund of said city, or as may be otherwise authorized or required by law, and as authorized by an act of the General Assembly of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto, and

WHEREAS, life and property of said city and its citizens are being jeopardized by the lack of such equipment in the Indianapolis Police and Fire Department and that an emergency exists therefor:

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the City Controller be and is hereby author-

ized, for the purpose of procuring money to be used for the purchase of certain Fire and Police apparatus in the City of Indianapolis; to prepare, issue and sell one hundred fifty (150) new bonds of the City of Indianapolis, Marion County, Indiana of One Thousand Dollars (\$1,000.00) each which bonds shall bear the date of January 1, 1927, and shall be numbered from one (1) to one hundred fifty (150) both inclusive and shall be designated "Fire and Police Equipment Bonds of 1927" and shall bear interest at the rate of four and one-half per cent ( $4\frac{1}{2}\%$ ) per annum payable semi-annually on the first day of January and the first day of July of each year of the period of said bonds. Said Bonds shall be issued in five (5) series, each series to be composed of thirty (30) bonds of One Thousand Dollars (\$1,000) each. The first series of said bonds shall be due and payable on January 1, 1929, and one of said series shall be due and payable on the first day of each year thereafter until and including January 1, 1933.

The said interest on said bonds shall be evidenced by appropriate coupons thereunto attached for the payment of said semi-annual interest and the first coupon attached to each bond shall be for the interest on said bonds from the date of issuance until the first day of January 1928. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's office of the City of Indianapolis, Indiana, at Indianapolis, Indiana; said bonds shall be signed by the Mayor and City Controller of the City of Indianapolis and attested by the City Clerk who shall affix the seal of said City to each of said bonds; and the interest coupons attached to said bonds shall be authenticated by a lithographic fac simile of the signatures of the Mayor and the City Controller of said City engraved thereon which shall for all purposes be taken and termed to be equivalent to a manual signing thereof; said bonds shall be substantially in the following forms; all blanks revocably pledging the faith and credit of the City of Indianapolis, Indiana to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller at the time of the issue and negotiation of said bonds to register in the books kept for that purpose, all said bonds so issued and negotiated in serial numbers beginning with bond number one (1), giving also the date of issuance, the amount, date of maturity, rate of interest and the time and place where said interest shall be payable and said bonds shall be substantially in the following forms; all blanks for numbers and dates to be properly filled in before the issuance thereof:

No. -----

\$1,000.00

UNITED STATES OF AMERICA  
CITY OF INDIANAPOLIS  
MARION COUNTY, STATE OF INDIANA

FIRE AND POLICE EQUIPMENT BOND OF 1927

For value received the City of Indianapolis, Marion County, State of Indiana hereby promises to pay to the bearer on the first day of January 19----- at the City Treasurer's Office of the City of Indianapolis, Indiana One Thousand Dollars (\$1,000) in lawful



money of the United States of America, together with interest thereon at the rate of four and one-half per cent ( $4\frac{1}{2}\%$ ) per annum from date until paid.

The first interest payable on the first day of January, 1928 and the interest thereafter payable semi-annually on the first day of January and July respectively, upon the presentation and surrender of the proper interest coupons hereunto attached, and which are made a part of this bond.

This bond is one of an issue of one hundred fifty (150) bonds of One Thousand Dollars (\$1,000.00) each numbered from one (1) to one hundred fifty (150) inclusive, of date of January 1, 1927. Said bonds mature in five (5) series of thirty bonds (30) for each series in the order and at the rate of one series (1) each year for five (5) years, beginning January 1, 1929, and continuing at the rate of thirty (30) bonds upon the first day of each year thereafter until and including January 1, 1933. These bonds are issued by the City of Indianapolis, Indiana pursuant to an ordinance passed by the Common Council at the City of Indianapolis on the ----

day of -----, 1926, and an act of the general assembly of the State of Indiana entitled "An Act Concerning Municipal Corporations" approved March 6, 1905 and all acts amendatory thereof and supplemental thereto.

It is hereby certified that all conditions, acts and things essential to the validity of this bond exist, have happened, and have been done and that all requirements of the law effecting the issuance thereof have been duly complied with, and that this bond is within every debt and other limit prescribed by the constitution and the laws of the State of Indiana, and the faith and credit of the City of Indianapolis, Indiana are hereby irrevocably pledged to the punctual payment of the principal of this bond according to its terms.

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, have caused this bond to be signed by Mayor and City Controller, attested by the City Clerk and corporate seal of Said City affixed thereunto on this ----- day of

-----, 1927.

-----  
Mayor

-----  
City Controller.

Attest:

-----  
City Clerk.

Section 2. The City Controller shall, as soon as possible, after the passage of this ordinance advertise for bids or proposals for said bonds by at least one insertion each week for two consecutive weeks in two daily newspapers, of opposite political faith and of general circulation, printed and published in the english lang-

uage in the City of Indianapolis, Indiana, or as otherwise authorized or required by law. Such Advertisement shall describe such bond with such minuteness and particularity as the City Controller may see fit and shall set out the amount of the bonds to be sold and the rate of interest they may bear, that the bidder may bid for all or any part of said bonds; the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of deposit each bidder shall be required to make and when and where the bonds shall be delivered and paid for.

Section 3. Each and every bid and proposal shall be presented to the City Controller of the City of Indianapolis, Indiana, and shall be accompanied by a duly certified or cashier's check upon some accredited bank or trust Company of the City of Indianapolis and payable to the order of the City Treasury for a sum of money which shall equal two and one-half per cent ( $2\frac{1}{2}\%$ ), of the face or par value of the bonds bid for or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller until eleven o'clock A. M., on the day fixed by the City Controller and designated in the advertisement for the receiving bids or proposals, at which time and place and between the said hour, and twelve o'clock noon of said day he shall open said bids or proposals. The City Controller shall award said bonds or as he shall see fit a part or any number thereof, to the highest and best bidder therefor, but the said City Controller shall have the right to reject any and all such bids or proposals or any part of any bid and to award upon any bid the whole or a less number of bonds covered by such bid he being the sole judge of the sufficiency or insufficiency of any bid. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided.

Section 4. In case the City Controller shall reject all bids submitted; or if he shall award only a part of said bids he shall re-advertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix the date and the time both of receiving and opening of bids or proposals, and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time in like manner to readvertise said bonds for sale until said bonds are sold.

Section 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds by the City Controller, he shall thereupon return to such unsuccessful bidder the certified or cashier's check accompanying the same. If the City Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified, or cashier's check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If for any reason, said check shall not be paid upon presentation, such nonpayment shall be taken and deemed a breach of contract for purchase of said bonds upon the part of the purchaser, and the City, in that event, shall have the right to readvertise said bonds for sale at once, and shall in such event retain said check and shall

have the right to collect the same for its own use, and said check and proceeds thereof when collected shall be taken and deemed as agreed and liquidated damages for such breach of contract and as a payment thereof to the City. In case any successful bidder shall fail to complete the payment of the purchase price of the bonds so awarded and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller as herein provided, the proceeds of such certified check deposited by such bidder shall be taken, considered and deemed as agreed and liquidated damages, for the breach of such bidders contract of purchase and shall be taken and deemed as a payment to the City for such damages and shall be retained and held by said city for its use, but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions thereof and his bid and award thereon, said proceeds of said certified or cashier's check shall thereupon be returned to such bidder, or at the option of the City Controller at the time of the completion of the sale in payment for the bonds said proceeds of said certified check may be applied and deemed a payment on account of the purchase of said bonds.

Section 6. Delivery of any bonds sold shall be made at the office of the City Treasurer of the City of Indianapolis, Indiana upon such day or days as may be specified in the advertisement or readvertisement for proposals or within such time thereafter as may be fixed by the City Controller, or at such time or times as may be agreed upon by the City Controller and the purchaser or purchasers and the City Controller may extend the time for such delivery not more than ten (10 days) after the date or day specified or agreed upon as above provided, and the successful bidder or bidders shall take the bond or bonds awarded to him or them and pay for the same at such place and times as above provided, and his or her refusal, neglect or omission to do so shall be a breach of contract of his bid or proposal on account of which damages shall be retained or recovered as liquidated as provided in this ordinance.

Section 7. The bonds taken and paid for to the satisfaction of the City Controller shall be a binding obligation upon the City of Indianapolis according to their tenor and effect and the proceeds derived from the sale or sales of bonds as herein authorized shall be and hereby are appropriated to the purchase of Police and Fire apparatus for the City of Indianapolis, Indiana.

Section 8. The Mayor, the City Controller and the Corporation Counsel are hereby authorized and directed to publish notices herein of the City's determination to issue bonds as required by law.

Section 9. This Ordinance shall be in full force and effect from and after its passage, and approved by the Mayor.

MILLARD W. FERGUSON,

Councilman.

On motion of Dr. Todd, seconded by Mr. Bartholomew, General Ordinance No. 94, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 94 was read a third time and passed by unanimous vote.

Mr. Dorsett called for General Ordinance No. 99 for second reading. It was read a second time.

On motion of Mr. Dorsett, seconded by Mr. Ferguson, General Ordinance No. 99 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 99 was read a third time and passed by unanimous vote of the Council.

Mr. Dorsett called for General Ordinance No. 105 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 105 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 105 was read a third time and passed by unanimous vote.

Mr. Negley called for General Ordinance No. 27 for second reading. It was read a second time.

On motion of Mr. Negley, seconded by Dr. Todd, the following amendment was unanimously adopted:

Indianapolis, Ind.

*Mr. President:*

I move that General Ordinance No. 27, 1926, be amended to read as follows:

GENERAL ORDINANCE NO. 27, 1926  
(As Amended)

AN ORDINANCE, Prohibiting the use by Interurban Companies between certain designated hours of more than one freight trailer operating over and on the streets of the City of Indianapolis, fixing a penalty for the violation of the same, and designating a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That it shall be unlawful for any interurban car or other electrical operated utility car operating in and over the streets of the City of Indianapolis to draw more than one freight trailer



between the hours of 6:00 a. m. and 8:30 a. m.; 11:30 a. m. to 1:30 p. m., and from 4:00 p. m. to 7:00 p. m.

Section 2. That any corporation, firm, partnership or individual violating the same shall be fined in any sum not less than Five Hundred (\$500.00) Dollars and not to exceed One Thousand (\$1,000.00) Dollars.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

CLAUDE E. NEGLEY,

Councilman.

On motion of Mr. Negley, seconded by Mr. Bartholomew, General Ordinance No. 27, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 27 was read a third time and passed by unanimous vote.

Mr. Negley called for General Ordinance No. 98 for second reading. It was read a second time.

On motion of Mr. Negley, seconded by Dr. Todd, General Ordinance No. 98 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 98 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 83 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Bartholomew, General Ordinance No. 83 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 83 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 84 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 84 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 84 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 79 for second reading . It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Ferguson, General Ordinance No. 79 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 79 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 91 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Dorsett, General Ordinance No. 91 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 91 was read a third time and passed by unanimous vote.

Dr. Todd called for General Ordinance No. 88 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 88 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 88 was read a third time and passed by unanimous vote.

Mr. Albertson called for General Ordinance No. 96 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, General Ordinance No. 96 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 96 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 100 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, the following amendment was unanimously adopted:

*Mr. President:*

I move that General Ordinance No. 100, 1926, be amended in the following respects:

That the preamble of said ordinance be amended so as to read as follows, and as so amended that such amendment be substituted for the original provisions of the ordinance as introduced, such amendment and preamble, as amended, to be in the words and figures following:

WHEREAS, judgments have been recovered in the Marion Circuit Court of Marion County, Indiana, in consolidated cause No. 40500, aggregating the sum of \$260,000.00, which judgments are in full force and effect and unappealed from and are valid, outstanding indebtednesses of said City of Indianapolis, and constitute the valid and outstanding indebtedness of the City of Indianapolis, and

WHEREAS, said City of Indianapolis has no funds unappropriated and available in its General Fund, nor has it made provision in a tax levy, now in existence, out of which said judgments and indebtedness represented thereby can be paid, the Common Council of the City of Indianapolis now deems it necessary, and for the best interest of said City, in order to preserve and protect the credit of said City, that said valid, outstanding judgment indebtedness be funded by the issuance of the bonds of the City for the purpose of paying the same.

I further move that Section 1 of said ordinance, as introduced, be amended and such amendment be substituted for the phraseology of the original section 1, as introduced so that Section 1 of said ordinance, as amended and substituted shall read as follows:

*Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana(*

Section 1. That it is deemed necessary and to the best interest of the City of Indianapolis to borrow the sum of \$260,000.00 for the purpose of paying, discharging and satisfying an equal amount of the valid, outstanding indebtedness of the City of Indianapolis, evidenced by judgments rendered against said City of Indianapolis, in consolidated cause No. 40500, in the Marion Circuit Court, of Marion County, Indiana, aggregating the sum of \$260,000.00, and for that purpose that the City Controller be, and he is hereby authorized, ordered and directed to borrow the sum of \$260,000.00 evidencing the same by the issue and sale of the bonds of said City of Indianapolis, in the sum of \$260,000.00, said bonds to be numbered from One (1) to Two Hundred Sixty (260), consecutively and inclusively, and each in the principal sum of \$1000.00, and shall bear date of January 1, 1927, and shall be designated "MUNICIPAL JUDGMENT FUNDING BONDS OF 1927."

The said bonds shall bear interest at the rate of 4½ % per annum, said interest payable on the first day of July, 1928, and thereafter semi-annually on the first day of January and July of each year, and shall mature serially as follows:

Eighty-six of said bonds shall mature and be payable on the first day of January, 1929, and shall constitute the first series thereof.

Eighty-seven of said bonds shall mature and be payable on the first day of January, 1930, and shall constitute the second series thereof.

And the remaining eighty-seven of said bonds shall mature and be payable on the first day of January, 1931, and shall constitute the third series thereof.

The first coupon attached to each bond shall be for the interest on said bond from the date of issue until the first day of July, 1928. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's Office of the City of Indianapolis, at Indianapolis, Indiana; said bonds shall be signed by the Mayor and City Controller of the City of Indianapolis, and attested by the City Clerk, who shall affix the seal of said City to each of said bonds; and the interest coupons to said bonds shall be authenticated by a lithographic facsimile of the signatures of the Mayor and the City Controller of said City engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof; said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller, at the time of the issue and negotiation of said bonds, to register in the book kept for that purpose all of said bonds so issued and negotiated in serial number, beginning with bond Number One (1) giving also the date of their issuance, their amount, date of their maturity rate of interest and the time and place where said interest shall be payable, and said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No.-----

\$1000.00

UNITED STATES OF AMERICA  
CITY OF INDIANAPOLIS

MARION COUNTY, STATE OF INDIANA  
MUNICIPAL JUDGEMENT FUNDING BONDS OF 1927

For value received, the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer without any relief from valuation or appraisal laws, on the 1st day of

----- 19--, at the City Treasurer's Office of the City of Indianapolis, Indiana, One Thousand (\$1000.00) Dollars in lawful money of the United States of America, together with interest thereon at the rate of four and one-half (4½%) per cent, per annum, from date until paid, the first interest hereon being payable on the 1st day of July, 1928, and the interest thereafter being payable semi-annually on the first day of January and July, respectively, upon presentation and surrender of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of an issue of two hundred and sixty (260) bonds of One Thousand (\$1000.00) Dollars each, numbered from



one (1) to two hundred and sixty (260) both inclusive of the date of the 1st day of January, 1927. Said bonds mature and shall be payable in a series of eighty-six on the 1st day of January, 1929, and the second eighty-seven on the 1st day of January, 1930, and the third eighty-seven of such bonds shall mature and be payable on the 1st day of January, 1931. The first interest coupon shall be payable on the 1st day of July, 1928. These bonds are issued by said City of Indianapolis pursuant to an Ordinance of said city, passed by its Common Council at the City of Indianapolis, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, and to an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations" approved March 6, 1905, and all acts amendatory thereof and supplemental thereto, for the purpose of providing funds for the payment, discharge and satisfaction of an equal amount of the valid, subsisting, outstanding indebtedness of said City of Indianapolis evidenced by judgments rendered against said City of Indianapolis in the Marion Circuit Court of Marion County, Indiana, in Consolidated Cause No. 40500.

It is hereby certified that all things and acts required by the laws of the State of Indiana, and by ordinance and corporate action of the City of Indianapolis and the Common Council thereof, precedent to the issuance of this bond, have happened and have been duly done and performed, in the manner provided by law, in and about the authorization, preparation, issuance and complete execution of this bond; and it is further certified that this bond, and said total issue of bonds, is within every limit of debt prescribed by the constitution and laws of the State of Indiana, and that the entire proceeds of said issue of bonds are to be used to pay off, satisfy and discharge an equal amount of valid, outstanding subsisting judgment indebtedness of said City of Indianapolis, and that said judgment indebtedness against said City of Indianapolis at the time of the incurring of the same, was within every limit of debt prescribed by the constitution and laws of the State of Indiana, and to the prompt payment of the principal and interest of this bond, and said total issue of bonds, when the same shall become due, the full faith and credit of said City of Indianapolis, together with all of its taxable property, both real and personal, are hereby irrevocably pledged.

That the proceeds arising from the sale of said bonds, as herein provided for by the City Controller is now hereby appropriated to the Legal Department of the City of Indianapolis for the purpose of paying and discharging the judgments for which such bonds are sold.

IN WITNESS WHEREOF the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Controller, and attested by the City Clerk and the corporate seal of said city to be hereunto affixed this as of the

\_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Controller

\_\_\_\_\_  
City Clerk

I further move that Section II of said ordinance be amended and such amendment, when made, be substituted for the phraseology of the ordinance as originally introduced and that as amended said Section II of said ordinance shall read as follows:

Section II. Be It Further ordained that the City Controller, before making sale of such bonds shall give notice of the time and place of the sale thereof by publishing such notice for two weeks, one week apart, in two newspapers published in the City of Indianapolis, the last publication of which shall not be less than six days prior to said date of sale, as fixed in said notice.

Sealed bids shall be received thereon by the Controller as specified in said notice.

The Controller may award said bonds to the highest and best bidder upon receipt of such bids submitted, pursuant to such notice; the said Controller, however, shall have the right and privilege of rejecting all bids which may be submitted to him upon the date fixed in such notice.

Section III. This ordinance shall be in full force and affect from and after its passage.

O. RAY ALBERTSON,

Councilman.

On motion of Mr. Albertson, seconded by Dr. Todd, General Ordinance No. 100, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 100 was read a third time and passed by unanimous vote.

Mr. Albertson called for General Ordinance No. 77 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Negley, General Ordinance No. 77 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 77 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 78 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Bartholomew, General Ordinance No. 78 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 78 was read a third time and passed by unanimous vote

Mr. Bartholomew called for General Ordinance No. 95 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Bartholomew, General Ordinance No. 95 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 95 was read a third time and passed by unanimous vote.

On motion of Dr. Todd, seconded by Mr. Bartholomew, the Common Council recessed at 9:40 o'clock.

The Common Council reconvened at 10:00 o'clock.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Common Council of the City of Indianapolis adjourned at 10:00 o'clock p. m.

*Raynton J. Moore*

President.

Attest:

*William A. Boyce, Jr.*

City Clerk.

## REGULAR MEETING

Monday, December 6, 1926.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, December 6, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and eight members, viz.: Claude E. Negley, Edward B. Raub, O. Ray Albertson, Robert E. Springsteen, Walter R. Dorsett, Millard W. Ferguson, Otis E. Bartholomew and Austin H. Todd.

The reading of the journal was dispensed with on motion of Mr. Dorsett, seconded by Dr. Todd.

## COMMUNICATIONS FROM THE MAYOR.

November 24, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 94, 1926.

AN ORDINANCE, authorizing the borrowing of One Hundred Fifty Thousand Dollars (\$150,000.00) and the sale of one hundred fifty bonds of One Thousand Dollars (\$1,000.00) each of the City of Indianapolis, Indiana, payable from the general revenues and funds of said city, or from the Sinking Fund of said City, or as may be required by law, for the purpose of procuring money to be used for the purchase of certain equipment to be used in the Indianapolis Police and Indianapolis Fire Department and providing for the time and manner of advertising the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale and fixing a time when this ordinance shall take effect.

Yours very truly,

JOHN L. DUVALLE,

Mayor.

November 24, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—I have today approved with my signature and de-



livered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 27, 1926.

AN ORDINANCE, prohibiting the use by Interurban Companies between certain designated hours of more than one freight trailer operating over and on the streets of the City of Indianapolis, fixing a penalty for the violation of the same, and designating a time when the same shall take effect.

GENERAL ORDINANCE No. 77, 1926, an ordinance, transferring the sum of Two Thousand (\$2,000.00) Dollars from Interest on Bonded Debt, Fund No. 61, Controllers Office, and reappropriating the same to Fund No. 36, Supplies, in the Barrett Law Department, declaring an emergency, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 78, 1926, an ordinance, transferring the sum of Fifty (\$50.00) Dollars from the Department of Public Purchase, Fund No. 24, Printing and Advertising, and reappropriating the same to Department of Public Purchase, Fund No. 36, Office, declaring an emergency, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 79, 1926, an ordinance, transferring the sum of Thirteen Hundred (\$1,300.00) Dollars from the Board of Public Works, Municipal Garage Fund No. 25, and reappropriating the same to the Board of Public Works, Municipal Garage Fund No. 33, declaring an emergency, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 82, 1926, an ordinance, to amend Section 865 Indianapolis Building Code of 1925, of General Ordinance No. 121, known as Municipal Code of Indianapolis, 1925, and entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation, with stated exceptions repealing all former ordinances.

GENERAL ORDINANCE No. 83, 1926, an ordinance, transferring the sum of Thirty-five (\$35.00) Dollars in the Department of City Clerk from Fund No. 25, Repairs to Equipment, and reappropriating the same to the Department of City Clerk Fund No. 21, Postage, Telegraph and Telephone, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 84, 1926, an ordinance, transferring the sum of Two Thousand (\$2,000.00) Dollars from Street Commissioners Department Fund No. 21, Communication and Transportation; One Thousand (\$1,000.00) Dollars from Street Commissioners Dept. Fund No. 25, Repairs; Five Hundred (\$500.00) Dollars from Street Commissioners Fund No. 44, General Materials, and reappropriating the same to Street Commissioners Dept. Fund No. 12, Unimproved Streets, all under the Board of Public Works, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 88, 1926, an ordinance, transferring the sum of Two Hundred (\$200.00) Dollars in the office of the City Controller from Controllers Fund No. 61, "Interest on Bonded Debt" and reappropriating the same to the Legal Department Fund No. 72, "Equipment," and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 89, 1926, an ordinance, trans-

ferring the sum of Four Thousand (\$4,000.00) Dollars from Fund No. 33, Garage and Motor, in the Police Department, transferring same to and reappropriating it to Fund No. 72, Equipment, Police Department of the Department of Public Safety, and declaring a time when the same shall take effect.

GENERAL ORDINANCE No. 91, 1926, an ordinance, transferring certain funds under the Department of Finance and reappropriating the same to the Department of Public Safety, and declaring a time when the same shall take effect.

GENERAL ORDINANCE No. 95, 1926, an ordinance, transferring the sum of \$196.65 from the Assessment Bureau, Account No. 72, Equipment, of the Board of Public Works of the City of Indianapolis, to Account No. 36, Office Supplies, of Assessment Bureau of said Board and reappropriating said sum for such purposes; and to transfer the sum of Three Hundred (\$300.00) Dollars from Street Commissioners Account No. 32, Fuel and Ice of the said Board of Public Works, to Public Building Account No. 32, of said Board and reappropriating the same; and transferring the sum of \$282.65 from City Civil Engineers Account No. 32, of said Board and reappropriating the same; and transferring the sum of \$100.00 from Administration Account No. 21, of said Board and reappropriating the same for such purposes, and fixing a time when said ordinance shall take effect.

GENERAL ORDINANCE No. 96, 1926, an ordinance, authorizing the sale of certain personal property by the Board of Park Commissioners of the Department of Public Parks of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 98, 1926, an ordinance, to establish rules and safety regulations governing the employment and services of window washers, painters, and all persons whose work and duty takes them onto the outer ledges of windows or onto the outer surfaces of any and all buildings or structures four stories or more in height within the corporate limits of the city of Indianapolis, defining the violation thereof, declaring a penalty for the violation thereof, and designating a time when the same shall take effect.

GENERAL ORDINANCE No. 99, 1926, an ordinance to amend Section 846 of General Ordinance No. 121, 1925, entitled "An Ordinance Concerning the Government of the City of Indianapolis, providing penalties for its violation, and with stated exceptions repealing all former ordinances.

GENERAL ORDINANCE No. 100, 1926, an ordinance, providing for and authorizing the City Comptroller, for and on behalf of the City of Indianapolis, to borrow the sum of \$260,000.00 for the purpose of procuring money with which to pay judgments against the City of Indianapolis, authorizing the issuance of bonds evidencing such loans, fixing the term and tenure of such bonds, together with their maturities, providing for the sale of the same by the City Comptroller, all in accordance with the provisions of an Act of the General Assembly of the State of Indiana entitled "An Act concerning Municipal Corporations" approved March 6, 1905, and all Acts

amendatory and supplemental thereto, and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE No. 105, an ordinance amending Section 841 of General Ordinance No. 125, 1925, and declaring a time when the same shall take effect.

GENERAL ORDINANCE No. 93, 1926, an ordinance, authorizing the City Controller and Mayor in the name of and for the City of Indianapolis, Indiana, to issue bonds for the purposes of funding and refunding indebtedness of such city and its previous loans evidenced and represented by INDIANAPOLIS WORLD WAR MEMORIAL BONDS, 1921, due on January 1, 1927, in the amount of One Million Six Hundred Thousand (\$1,600,000.00) Dollars heretofore issued and sold by said city under and pursuant to its General Ordinance No. 71, 1921, heretofore issued, rendered, negotiated and sold by such city and which are now unpaid, reducing the rate of interest thereon, extending the time of payment and cancelling and for the purpose of paying all of such INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1921, by the issuance of new refunding bonds therefor in such sum of One Million Six Hundred Thousand (\$1,600,000.00) Dollars payable from the general revenues and funds of said city or from the Sinking Fund of said city, or as may be required and authorized by law, to carry out, ratify and continue the patriotic purposes of an Act of the General Assembly of Indiana of 1921, page 515, Burns 1926, Section 1391, et seq., and for which original issue Declaratory Resolution No. 4, 1921, was adopted by the Common Council of said City on May 19, 1921, and approved by the Mayor on the 21st. day of May, 1921, and all other things done as required by law, and whereas John L. Duvall, Mayor of the City of Indianapolis, and William C. Buser, City Controller of the City of Indianapolis, have recommended to the Common Council such refunding as in this ordinance declared, and that it authorize the issue and sale therefor of Sixteen Hundred (1600) INDIANAPOLIS WORLD WAR MEMORIAL BONDS 1927, of One Thousand Dollars (\$1,000.00) each and order and appropriate the proceeds of such bond sale in the hands of said Controller, the city treasurer or of the proper officer or officers of such city for the purpose and sole use of paying and cancelling said bonds of 1921; providing that said bonds shall be issued in the denomination of One Thousand Dollars (\$1,000.00) for each bond in twenty-five (25) series aggregating Sixty-four Thousand Dollars (\$64,000.00) in each series, the first series to be payable on January 1, 1929, and one series to be payable on each and every first day of the year thereafter, until and including January 1, 1953; said bonds to draw interest at the rate of four and one quarter ( $4\frac{1}{4}\%$ ) per cent per annum payable semi-annually on the first day of January and the first day of July of each year hereafter until maturity as evidenced by interest coupons attached thereto; said bonds to be dated January 1, 1927, and to be sold pursuant to law on December 20, 1926, authorizing the City Controller and Mayor in advertising for the sale of such bonds to ask for competitive bids on said bonds as to each series thereof, and fixing a time when the same shall take effect.

Yours very truly,

JOHN L. DUVALLE,

Mayor.



## REPORTS FROM CITY OFFICERS

December 2, 1926.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.*

Dear Sir—The City Plan Commission at its meeting on November 30th, considered General Ordinance No. 101, 1926, forwarded them by you as Clerk of the Common Council on November 16th.

I have been directed by the Commission to report that they have given favorable consideration to this Ordinance, and recommend that the Common Council pass this ordinance as written.

Very truly yours,

CITY PLAN COMMISSION

MARIE VICTOR,

Secretary.

December 2, 1926.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.*

Dear Sir—Replying to your communication of November 16th regarding General Ordinance No. 104, 1926, covering the rezoning of 25th and Delaware Sts., the City Plan Commission on August 13th, 1926, refused petitions asking that the southeast and southwest corners of Delaware St. and Fall Creek Blvd. be recommended for a change from residence to business use, paragraphs A and B of General Ordinance No. 104.

The matter of the re-zoning of Delaware St., from 25th St. north, paragraph C of the above ordinance, has been referred to the Zoning Committee for consideration and report at the next meeting of the Commission.

Very truly yours,

CITY PLAN COMMISSION

MARIE VICTOR,

Secretary.

December 6th, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Attached hereto are thirteen (13) copies of an Ordinance changing the district zoning designations of certain territory within the City of Indianapolis, and the passage of same by the Common Council is hereby recommended by the City Plan Commission.

Very truly yours,

CITY PLAN COMMISSION

MARIE VICTOR,

Secretary.

December 6th, 1926.

*Boynton J. Moore, President City Council, City of Indianapolis:*

Dear Sir—I hereby submit fourteen copies of a General Or-



dinance amending Section 3, paragraph B of General Ordinance No. 46, 1926, and wish to recommend its passage.

Very truly yours,

BERT J. WESTOVER,  
Commissioner of Bldgs.

December 6th, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—Attached herewith please find copies of a General Ordinance authorizing the City Controller to issue bonds in the amount of \$60,000.00, known as "Municipal Bridge Bonds of 1927, First Issue." Said bonds to be sold for the purpose of procuring money to be used for the purpose of repairing and reconstructing the bridge at College Avenue and Fall Creek.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

December 6th, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—I have been requested by the City Clerk, Wm. A. Boyce, Jr., to submit to you a General Ordinance transferring the sum of One Hundred Fifty (\$150.00) Dollars from Fund No. 24, Printing and Advertising" Department of the City Clerk and re-appropriating the same to Fund No. 36, Office Supplies, Department of City Clerk.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

December 6th, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—I have been requested by the Board of Public Safety that I submit to you a General Ordinance transferring the sum of Ninety (\$90.00) Dollars from Fund No. 45, Dog Pound, under the Board of Public Safety, and reappropriating the same to Fund No. 34, Dog Pound, under the Board of Public Safety.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

December 6th, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—I have been requested by the Board of Public

Safety to submit to you a General Ordinance transferring the sum of Five Hundred (\$500.00) Dollars from Fund No. 33, Police Department and reappropriating the same to Fund No. 38 Police Department, both under the Board of Public Safety.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,

City Controller.

December 6th, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—Attached herewith please find copies of a General Ordinance transferring the sum of Two Hundred (\$200.00) Dollars from Fund No. 36, Office Supplies, City Controller's Office and reappropriating the same to Fund No. 24, Printing and Advertising, City Controller's Office.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,

City Controller.

December 6th, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—I have been requested by the City Plan Commission to submit to you a General Ordinance transferring the sum of Eighteen Hundred Dollars (\$1800.00) Dollars from Fund No. 11, "Salaries and Wages," City Plan Department; creating a fund to be known as Fund No. 21, "Communication and Transportation" City Plan Department; and reappropriating the said sum thereto.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,

City Controller.

December 6th, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—Attached herewith please find copies of a General Ordinance transferring the sum of Fifty (\$50.00) Dollars from Fund No. 36, Office Supplies, Mayor's Office and reappropriating the same to Fund No. 21, Communication and Transportation, Mayor's Office.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,

City Controller.

December 6th, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—Attached herewith please find copies of a Gen-

eral Ordinance transferring the sum of Nine Hundred Fifty (\$950.00) Dollars from Fund No. 12, Laborers, St. Cleaning Department, Board of Public Works, and reappropriating the same to Fund No. 12, Carpenter Dept., Board of Public Works.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,

City Controller.

November 27, 1926.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.*

Dear Sir—I am enclosing herewith an ordinance for the sale of three two-story frame houses.

These houses are on property which the Park Board has recently condemned for Pleasant Run Boulevard, as provided by Amended Acquisition Resolution No. 4, 1924.

The Board is clearing the right of way so that work can begin on the new boulevard as soon as possible.

Yours truly,

TELFORD B. ORBISON,

Attorney for the Board of Park Commissioners.

December 6th, 1926.

*To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.*

Dear Sir—I am enclosing herewith special Ordinance No. 7, 1926, which has for its purpose the sale of quantities of junk by the Board of Public Works of the City of Indianapolis.

The Board of Public Works has resolved to sell the above mentioned junk and has ordered me to take the necessary steps to effect this sale.

Yours truly,

JOHN K. RUCKELSHAUS,

City Attorney.

## REPORTS FROM COMMITTEES

Indianapolis, Ind., December 6, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your special committee to whom was referred General Ordinance No. 48, 1926, entitled, Revision of Traffic Code, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed when amended.

EDWARD B. RAUB, Chairman.

O. E. BARTHOLOMEW.

WALTER R. DORSETT.

M. W. FERGUSON.

Indianapolis, Ind., December 6, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 92, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman.

C. E. NEGLEY.

O. E. BARTHOLOMEW.

A. H. TODD.

WALTER R. DORSETT.

Indianapolis, Ind., December 6, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 90, 1926, beg leave to report that we had had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman.

C. E. NEGLEY.

O. E. BARTHOLOMEW.

A. H. TODD.

WALTER R. DORSETT.

## INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By the City Plan Commission:

GENERAL ORDINANCE No. 106, 1926.

AN ORDINANCE to amend General Ordinance No 114, 1922, entitled: "An ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses; of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the U3 or business district as established by General Ordinance No. 114, 1922, and amendments thereto, be and same is hereby amended, supplemented and changed so as to include the following described territory:

A. Beginning on the west property line of Canby St. at its



intersection with the north property line of Minnesota St. thence north with the west property line of Canby St. a distance of 1,375 ft.; thence west and parallel to the north property line of Minnesota St., a distance of 120 ft.; thence south and parallel to the west property line of Canby St., to a point 120 ft. north of the north property line of Minnesota St.; thence west and parallel to the north property line of Minnesota St., to a point 472.16 ft. east of the east property line of Keystone Ave.; thence south and parallel to the west property line of Canby St., to the north property line of Minnesota St.; thence east to the point or place of beginning.

B. Beginning on the east property line of Colorado Ave., at a point 150 ft. north of the north property line of E. 10th St.; thence east and parallel to the north property line of E. Tenth St. to the east property line of Linwood Ave.; thence south with the east property line of said street to the south property line of the first alley north of 10th St.; thence east with the north property line of said alley to the west property line of Bancroft St.; thence south with the west property line of said street to a point 80 ft. south of the south property line of 10th St.; thence west and parallel to the south property line of 10th St. to the west property line of the first alley east of Bosart Ave.; thence south with the west property line of said alley a distance of 130 ft. south of the south property line of 10th St.; thence west and parallel to the south property line of 10th St.; to the east property line of Gladstone Ave.; thence north with the south property line of said street to the north property line of 10th St.; thence east with the north property line of 10th St. to the east property line of Colorado St.; thence north with the east property line of said street to the point or place of beginning.

C. Beginning on the west property line of the first alley east of Martindale Ave., at its intersection with the south property line of 25th St.; thence south with the west property line of said alley a distance of 93.9 ft.; thence west to a point on the east property line of the first alley west of Columbia Ave., said point being 92 ft. south of the south property line of 25th St.; thence north with the east property line of said alley to a point 82.2 ft. north of the north property line of 25th St.; thence east and parallel to the north property line of 25th St. to the west property line of the first alley west of Martindale Ave.; thence south with the west property line of said alley to the point or place of beginning.

D. Beginning on the north property line of English Ave. at a point 138.9 ft. east of the east property line of Sherman Drive, thence north and parallel to the east property line of Sherman Drive to a point 100 ft. distant; thence west and parallel to the north property line of English Ave., to a point 139 ft. west of the west property line of Sherman Drive; thence south and parallel to the west property line of Sherman Drive to the south property line of English Ave.; thence east with the south property line of English Ave. a distance of 14.5 ft.; thence south and parallel to the west property line of Sherman Drive a distance of 133 ft.; thence east and parallel to the south property line of English Ave. to the east property line of Sherman Drive; thence north with the east property line of Sherman Drive a distance of 35 ft. thence east and parallel to the south property line of English Ave. a distance of 116 ft.; thence north and parallel to the east property line of Sherman

Drive to the north property line of English Ave.; thence east with the north property line of English Ave. to the point or place of beginning.

E. Beginning on the south property line of 30th St. at its intersection with the west property line of Rural St.; thence west with the south property line of 30th St. to the east property line of Eastern Ave.; thence south with the east property line of Eastern Ave. to the north property line of the first alley south of 30th St.; thence east with the north property line of said alley to the west property line of Rural St.; thence north with the west property line of Rural St. to the point or place of beginning.

F. Beginning on the north property line of 18th St. at its intersection with the center line of the first alley west of Illinois St.; thence north with the center line of said alley to the center line of 19th St.; thence west with the center line of 19th St. to a point 204.6 ft. west of the west property line of Illinois St.; thence north parallel to and 204.6 ft. distant from the west property line of Illinois St. to the center line of the first alley south of 21st St.; thence west with the center line of said alley to the center line of the first alley east of Boulevard Place; thence south with the center line of said alley to the center line of the first alley north of 16th St.; thence west with the center line of said alley to a point 150 ft. east of the east property line of Boulevard Place; thence south parallel to and 154 ft. distant from the east property line of Boulevard Place to the south property line of 16th St.; thence east with the north property line of 16th St. to the east property line of Capitol Ave.; thence north with the east property line of Capitol Ave. to the center line of the first alley north of 16th St.; thence east with the center line of said alley to the center line of the first alley east of Capitol Ave.; thence north with the center line of said alley to the north property line of 18th St.; thence east with the north property line of 18th St. to the point or place of beginning.

Section 2. Be it further ordained that the A3 or 2400 square foot area district as established by General Ordinance No. 114, 1922, and amendments thereto, be and the same is hereby amended, supplemented and changed so as to include the following described territory:

A. Beginning on the north property line of Stanton Ave. at its intersection with the west property line of Sherman Drive; thence west following the north property line of Stanton Ave. to the west property line of Gale St.; thence south with the west property line of Gale St. to a point 135 ft. north of the north property line of English Ave.; thence west parallel to and 135 ft. distant from the north property line of English Ave. to the east right-of-way line of the I. U. R. R. Co.; thence north with the east right-of-way line of the I. U. R. R. Co. to the south right-of-way line of the Pennsylvania R. R. Co.; thence east with the south right-of-way line of the Pennsylvania R. R. Co. to the west property line of Sherman Drive; thence south with the west property line of Sherman Drive to the point or place of beginning.

B. Beginning on the north property line of Walker Ave. at its intersection with the center line of the first alley west of Randolph St.; thence north with the center line of said alley to the center line of the first alley north of Raymond St.; thence west with

the center line of said alley to the center line of the first alley east of State Ave.; thence north with the center line of said alley to a point, said point being where the center line of the first alley north of Calhoun St. extended west would intersect with the center line of the first alley east of State Ave.; thence east with the center line of the first alley north of Calhoun St. extended west and the center line of said alley to the west property line of Villa Ave.; thence north with the west property line of Villa Ave. to a point 142 ft. north of the north property line of Reformers Ave.; thence east parallel to and 142 ft. distant from the north property line of Reformers Ave. to a point 120 ft. west of the west property line of Churchman Ave.; thence south and parallel to and 120 ft. distant from the west property line of Churchman Ave., to the center line of first alley south of Reformers Ave.; thence east with and along the center line of said alley to a point 40 ft. west of the west property line of Churchman Ave.; thence south and parallel to and 84 ft. distant from the west property line of Keystone Ave. to the south property line of Raymond St.; thence west with the south property line of Raymond St. a distance of 40 ft.; thence south parallel to the west property line of Keystone Ave. a distance of 150 ft.; thence east parallel to the south property line of Raymond St. to the west property line of Keystone Ave.; thence south with the west property line of Keystone Ave. to the north property line of Walker Ave.; thence west with the north property line of Walker Ave. to the point or place of beginning.

C. Beginning on the south property line of Terrace Ave. at its intersection with the west property line of Sherman Dr.; thence west with the south property line of Terrace Ave. to the first alley west of Vandeman St.; thence north with the west property line of said alley to the south property line of Prospect St.; thence west to a point, said point being where the west property line of Vandeman St. extended south would intersect the south property line of Prospect St.; thence north with said extended line and the west property line of Vandeman St. to the south property line of the first alley north of Prospect St.; thence west with the south property line of said alley to the west property line of the first alley west of Vandeman St.; thence north and northeast with the west property line of said alley to the north property line of Pleasant St.; thence east with the north property line of said street to the west property line of Southeastern Ave.; thence due south to the south property line of Pleasant St.; thence west with the south property line of said street to a point, said point being where a line 120 ft. distant and parallel to the west property line of Southeastern Ave. would intersect the south property line of Pleasant St.; thence southeasterly parallel and 120 ft. distant to the west property line of Southeastern Ave. to the west property line of Sherman Dr.; thence south with the west property line of said Drive to the point or place of beginning.

D. Beginning on the east property line of the first alley west of Winthrop Ave. at its intersection with the north property line of 51st St.; thence north with and along the east property line of said alley to the south property line of 52nd St.; thence east with and along the north property line of 52nd St. to a point 133.5 ft. west of the west property line of Winthrop Ave.; thence north and parallel to and 133.5 ft. distant from the west property line of Win-



throp Ave. to the south property line of 54th St.; thence east with and along the south property line of said street to the west right-of-way line of the C. I. & L. Railway Co.; thence south with and along the west right-of-way line of the said Railway Co.'s line to the north property line of 51st St.; thence west with and along the north property line of 51st St. to the point or place of beginning.

Section 3. Be it further ordained that the U3 or business district and the A3 or 2400 square ft. area district as established by General Ordinance No. 114, 1922, and amendments thereto, be and the same are hereby amended, supplemented and changed so as to include the following described territory.

A. Beginning on the east property line of Keystone Ave. at its intersection with the north property line of 30th St.; thence north with the east property line of Keystone Ave. a distance of 100 ft.; thence east parallel to and 100 ft. distant from the north property line of 30th St. a distance of 161.5 ft.; thence south parallel to and 161.5 ft. distant from the east property line of Keystone Ave. to the north property line of 30th St.; thence west with the north property line of 30th St. to the point or place of beginning.

B. Beginning on the east property line of Keystone Ave. at its intersection with the south property line of 34th St.; thence east with the south property line of 34th St. a distance of 100 ft.; thence south parallel to and 100 ft. distant from the east property line of Keystone Ave. a distance of 200 ft.; thence west parallel to and 200 ft. distant from the south property line of 34th St. to a point 100 ft. west of the west property line of Keystone Ave.; thence north parallel to and 100 ft. distant from the west property line of Keystone Ave. to the south property line of 34th St.; thence east with the south property line of 34th St. to the point or place of beginning.

Section 4. That the U3 or business district as established by General Ordinance No. 114, 1922, and amendments thereto, be and the same is hereby amended, supplemented and changed so as to include the following described territory.

Beginning on the south-east property line of Westfield Blvd. at a point 120 ft. north-east of the east property line of Sunset Ave.; thence north-east with the south-east property line of Westfield Blvd. a distance of 120 ft.; thence south-west at an angle of 90 degrees to the north property line of the first alley north of 52nd St.; thence east with the north property line of said alley to the west property line of Hinsley Ave.; thence south with the west property line of Hinsley Ave. to the north property line of 52nd St.; thence west with the north property line of 52nd St. a distance of 254 ft. thence north parallel to the west property line of Hinsley Ave. to the south property line of the first alley north of 52nd St.; thence west with the south property line of said alley to the south-east property line of the first alley south-east of Westfield Blvd.; thence southwest with the northeast property line of said alley to a point, said point being 103.30 ft. north-west of the north property line of 52nd St.; thence north-west at an angle of 90 degrees to the point or place of beginning.

Section 5. This ordinance shall go into effect upon its passage and approval by the Mayor.



Which was read a first time and referred to the Committee on City Welfare.

By the Building Commissioner :

GENERAL ORDINANCE NO. 107, 1926

AN ORDINANCE, Amending Section 3, paragraph B of General Ordinance No. 46, 1926, "each approval is to expire on the 1st day of July of each year" and that the same be amended to read "each approval is to expire on the 31st Day of December of each year" fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the phrase "each approval is to expire on the 1st day of July of each year" as contained in Section 3, paragraph B, of General Ordinance No. 46, 1926 be and the same is hereby amended to read as follows: "each approval is to expire on the 31st day of December each year".

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Law and Judiciary.

By the City Comptroller:

GENERAL ORDINANCE NO. 108, 1926

AN ORDINANCE, Providing for and authorizing the City Controller for and on behalf of the City of Indianapolis to borrow the sum of Sixty Thousand (\$60,000) Dollars payable from the general revenues and funds of said city, or from the sinking fund of said city or as may be required by law, for the purpose of procuring money to be used in reconstructing and repairing a bridge where College Avenue in the City of Indianapolis, Indiana, extends and crosses Fall Creek in said city, and providing for the time and manner of advertising the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale, and fixing a time when this ordinance shall take effect.

WHEREAS, heretofore on the 6th day of October, 1926, the Board of Public Works of the City of Indianapolis, Indiana, passed resolution declaring the reconstruction and repairing of said bridge to be a public necessity and of public utility to the people of the City of Indianapolis, and that said College Avenue was a much frequented thoroughfare used by pedestrians and vehicles used in said city and that said bridge should be reconstructed under the plans and specifications of the City Engineer of said City, and requested the City Controller of said City to prepare an ordinance for the issue and sale of new bonds of the City of Indianapolis, in the amount of Sixty Thousand Dollars (\$60,000.00), and

WHEREAS, the said Board of Public Works passed resolution that such repairs and reconstruction were a public necessity and public utility for the reason that said bridge is now in a dangerous condition and likely to fall, causing injury to persons and property, and has been closed as to the east portion thereof, to traffic, as dangerous, and

WHEREAS, it is deemed necessary and proper for the best interests of the City of Indianapolis, Indiana, and inhabitants thereof to proceed with the work provided for in said resolution, and

WHEREAS, there is not now and will not be sufficient funds in the treasury of the City of Indianapolis, Indiana, with which to meet the aforesaid expenditure for the aforesaid welfare and there being no appropriation heretofore made by the Common Council therefor, and it being necessary for the said City to borrow said Sixty Thousand Dollars (\$60,000.00) in order to procure a fund to be devoted to the purposes set out in said resolution, and to issue and sell its bonds in said amount, payable from the general revenues and funds of said City, or from the Sinking Fund of said City, or as may be otherwise authorized or required by law, or as authorized by an Act of the General Assembly of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all Acts amendatory thereof and supplemental thereto, and

WHEREAS, for Flood Prevention it is necessary by reason of said condition of said bridge to reconstruct said bridge to the end that the same not fall into said channel and bed of said Fall Creek thereby obstructing the same as declared in, An Act of the General Assembly of Indiana of the year 1915, entitled: "An Act providing for the construction of work for Flood Prevention, providing for the levy of assessments and taxes and the sale of bonds for the purpose of paying therefor and granting said powers to said Board of Public Works concerning streams, in cities of more than One Hundred Thousand population and fixing a portion of the cost thereof to be paid by incorporated towns located within such cities, and by county in which such cities are located and declaring an emergency," together with all Acts and laws amendatory and supplemental thereto,

*Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana(*

Section 1. That the City Controller be and he is hereby authorized for the purpose of procuring money to be used for the purpose of repairing and reconstructing the said bridge at College Avenue and Fall Creek in the City of Indianapolis and over said Fall Creek, to prepare, issue and sell sixty (60) new bonds of the City of Indianapolis, Marion County, Indiana, of One Thousand Dollars (\$1,000.00) each which bonds shall bear the date of January 1, 1927, and shall be numbered from one to sixty (60) both inclusive, and shall be designated "Municipal Bridge Bonds of 1927, first issue", and shall bear interest at the rate of four and one-half (4½) per cent per annum payable semi-annually on the first day of January and the first day of July of each year of the period of said bonds. Said bonds shall be issued in twenty (20) series, each series to be composed of three (3) bonds of One Thousand Dollars (\$1,000.00) each and each series therefor totalling the sum of Three Thousand Dollars (\$3,000.00). The first series of said bonds shall

be due and payable on January 1, 1929, and one of said series shall be due and payable on the first day of each year thereafter until and including January 1, 1948.

The said interest on said bonds shall be evidenced by appropriate coupons thereunto attached for the payment of said semi-annual interest, and the first coupon attached to each bond shall be for the interest on said bonds from the date of issue until the first day of July, 1928. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's office of the City of Indianapolis, Indiana, at Indianapolis, Indiana; said bonds shall be signed by the Mayor and City Controller of the City of Indianapolis and attested by the City Clerk who shall affix the seal of said city to each of said bonds; and the interest coupons attached to said bonds shall be authenticated by a lithographic fac simile of the signatures of the Mayor and the City Controller of said City engraven thereon which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof; said bonds shall be prepared by the City Controller of said City in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein, respectively. It shall be the duty of the City Controller, at the time of the issue and negotiation of said bonds to register in the book kept for that purpose, all of said bonds so issued and negotiated in serial number, beginning with Bond No. 1, giving also the date of the issuance, the amount, day of maturity, rate of interest, and the time and place where said interest shall be payable, and said bonds shall be substantially in the following forms, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No. -----

\$1,000.00

UNITED STATES OF AMERICA  
CITY OF INDIANAPOLIS,  
MARION COUNTY, STATE OF INDIANA  
MUNICIPAL BRIDGE BOND OF 1927, 1ST ISSUE

For the value received the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer without any relief from valuation or appraisal laws, on the first day of January, 19\_\_\_\_, at the City Treasurer's office of the City of Indianapolis, Indiana, One Thousand Dollars (\$1,000.00) in lawful money of the United States of America, together with interest thereon, at the rate of four and one-half ( $4\frac{1}{2}\%$ ) per cent per annum from date until paid.

The first interest payable on the first day of July, 1928, and the interest thereafter payable semi-annually on the 1st day of January and July respectively, upon the presentation and surrender of the proper interest coupons hereunto attached, and which are made a part of this bond.

This bond is one of an issue of sixty (60) bonds of One Thousand (\$1,000.00) Dollars each, numbered from one to sixty (1-60) both inclusive, of date of January 1st, 1927. Said bonds mature in series of three (3) bonds each year for twenty (20) years beginning January 1, 1929, and three bonds upon the first day of



each year thereafter until and including January 1, 1948. These bonds are issued by said City of Indianapolis pursuant to an ordinance passed by the Common Council at the City of Indianapolis on the \_\_\_\_\_ day of \_\_\_\_\_, 1926, and an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6th, 1905, and all Acts amendatory thereof and supplemental thereto and an Act of said General Assembly of the year 1915, entitled "An Act providing for the construction of work for Flood Prevention, providing for the levy of assessments and taxes and the sale of bonds for the purpose of paying therefore and granting said powers to said Board of Public Works concerning streams in cities of more than One Hundred Thousand (100,000) population and fixing a portion of the cost thereof to be paid by incorporated towns located within such cities, and by county in which such cities are located and declaring an emergency" and all Acts amendatory and supplemental thereto.

It is hereby certified that all conditions, acts and things essential to the validity of this bond, exist, have happened, and have been done, and that all requirements of the law affecting the issuance thereof have been duly complied with, and that this bond is within every debt and other limit prescribed by the Constitution and Laws of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Controller, and attested by the City Clerk, and the corporate seal of said City to be affixed this as of the \_\_\_\_\_ day of \_\_\_\_\_, 1927.

-----  
Mayor.

-----  
City Controller.

Attest:

-----  
City Clerk.

Section 2. The City Controller shall, as soon as possible, after the passage of this ordinance advertise for bids, or proposals for said bonds by at least one insertion each week for two weeks in two daily newspapers of general circulation, printed and published in the City of Indianapolis, and as required and authorized by law, and may otherwise advertise for such bids or proposals as he may deem advisable. Such advertisements shall describe said bonds with such minuteness and particularity as the City Controller may see fit and shall set forth the amount of the bonds to be sold and the rate of interest they may bear, that the bidder may bid for all or any part of said bonds; the date of opening bids or proposals therefor, the right of the City Controller to reject any or all bids, the amount of deposit each bidder will be required to make and when and where the bonds shall be delivered and paid for.



Section 3. Each and every bid and proposal shall be presented to the City Controller sealed, and shall be accompanied by a duly certified check or cashier's check, upon some responsible bank or Trust Company of the City of Indianapolis, Indiana, payable to the order of the City Treasurer for a sum of money which shall equal two and one-half (2½%) per cent of the face or par value of the bonds bid for or proposed to be purchased. The City Controller shall continue to receive all bids or proposals therefor at the office of the City Controller until eleven o'clock A. M. on the day fixed by the City Controller and designated in the advertisement for receiving bids or proposals, at which time and place and between the said hour and twelve o'clock noon, of said day, he shall open said bids or proposals. The City Controller shall award said bonds, or as he shall see fit, a part or any number thereof, to the highest and best bidder therefor, but said City Controller shall have the right to reject any and all such bids or proposals, or any part thereof, and shall have the right to accept a part of any bid and to award upon any bid the whole or a less number of bonds covered by such bid, he being the sole judge of the sufficiency or insufficiency of any kind. He may also in his judgment and discretion award a part of said bonds to one bidder and a part to another. These provisions shall apply to the case of reoffering and readvertising of said bonds as hereinafter provided.

Section 4. In case the City Controller shall reject all bids submitted, or if he shall award only a part of said bids, he shall readvertise the bonds remaining unsold in the manner as herein prescribed for the original advertisement, but in such readvertisement he is authorized and directed to fix the date and the time both of receiving and opening bids or proposals, and for purchasers to take up and pay for the bonds which may be awarded. And he shall continue from time to time in like manner to readvertise said bonds for sale until said bonds are sold.

Section 5. In case any bid or proposal shall not be accepted and there shall be no award of bonds thereon by the City Controller he shall thereupon return to such unsuccessful bidder the certified or cashier's check accompanying the same. If the City Controller shall award the whole or any part of the bonds upon any bid or proposal, he shall thereupon deliver the certified or cashier's check accompanying the same to the City Treasurer, who shall thereupon present the same for payment and shall be entitled to collect the same and shall hold the proceeds collected thereon until the completion of the purchase and the payment for the bonds so awarded. If, for any reason, said check shall not be paid upon presentation, such non-payment shall be taken and deemed a breach of contract for purchase of said bonds upon the part of the purchaser, and the city, in that event, shall have the right to readvertise said bonds for sale at once, and shall, in such event retain said check and shall have the right to collect the same for its own use, and said check and proceeds thereof, when collected, shall be taken and deemed as agreed and liquidated damages for such breach of contract, and as a payment thereof to the City. In case any successful bidder shall fail to complete the purchase price of the bonds so awarded and to pay for the same within the time and manner herein required, or which may be prescribed by the City Controller as herein provided, the proceeds of such certified or cashier's check

deposited by such bidder shall be taken, considered, and deemed as agreed and liquidated damages for the breach of such bidder's contract of purchase and shall be taken and deemed as a payment to the city for such damages, and shall retained and held by said City for its use, but if such successful bidder shall complete the purchase of said bonds awarded to him pursuant to the provisions hereof and his bid and award thereon, said proceeds of said certified or cashier's check shall thereupon be returned to such bidder, or at the option of the City Controller at the time of the completion of the sale and payment for the bonds said proceeds of said certified or cashier's check may be applied and deemed a payment on account of the purchase of said bonds.

Section 6. Delivery of any bonds sold shall be made at the office of the City Treasurer of the City of Indianapolis, Indiana upon such day or days as may be specified in the advertisement or readvertisement for proposals or within such time thereafter as may be fixed by the City Controller and the purchaser or purchasers and the City Controller may extend the time for such delivery not more than ten (10) days after the day or days specified or agreed upon as above provided, and the successful bidder or bidders shall take the bonds awarded to him or them and pay for the same at such place and times, and his or her refusal, neglect or omission to do so shall be a breach of the contract of his bid or proposal on account of which damages shall be retained or recovered as liquidated as provided in this ordinance.

Section 7. The bonds taken and paid for to the satisfaction of the City Controller shall be binding obligation upon the City of Indianapolis according to their tenor and effect and the proceeds derived from the sale or sales of both as herein authorized shall be and hereby are appropriated to the department and Board of Public Works for the construction and repair of said bridge, and shall constitute and continue appropriations until the completion of said work.

Section 8. The Mayor, the City Controller and the Corporation Counsel are hereby authorized and directed to publish notices of the herein determination to issue bonds as required by law.

Section 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on Finance.

By the City Comptroller:

#### GENERAL ORDINANCE NO. 109, 1926

AN ORDINANCE, transferring the sum of One Hundred Fifty (\$150.00) Dollars in the Department of City Clerk from Fund No. 24, "Printing," and reappropriating the same to the Department of City Clerk Fund No. 36, "Office Supplies," and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of One Hundred Fifty (\$150.00) Dollars be and the same is now hereby transferred from the Department of City Clerk Fund No. 24, "Printing," and reappropriated to the Department of City Clerk Fund No. 36, "Office Supplies."

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Dorsett, Raub, Springsteen and Albertson.

By the City Comptroller:

#### GENERAL ORDINANCE NO. 110, 1926

AN ORDINANCE, transferring and reappropriating certain funds under the Department of Public Safety and declaring a time when same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and is hereby transferred from Fund No. 45 in the Dog Pound under the Department of Public Safety the sum of Ninety (\$90.00) Dollars and that the same be and is hereby reappropriated to Fund No. 34 Dog Pound under the Department of Public Safety.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Comptroller:

#### GENERAL ORDINANCE NO. 111, 1926

AN ORDINANCE, transferring and reappropriating certain funds under the Department of Public Safety and declaring a time when same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and is hereby transferred from Fund No. 33 Police Department under the Department of Public Safety, the sum of Five Hundred (\$500.00) Dollars and that the same be and is hereby reappropriated to Fund No. 38 in the Police Department under the Department of Public Safety.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special

Committee consisting of Mr. Ferguson, Chairman; Messrs. Todd, Bartholomew, Negley and Raub.

By the City Comptroller:

GENERAL ORDINANCE NO. 112, 1926

AN ORDINANCE, transferring the sum of Two Hundred (\$200.00) Dollars from Fund No. 36, Office Supplies, City Controller's Office, and reappropriating the same to Fund No. 24, Printing and Advertising, City Controller's Office, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Hundred (\$200.00) Dollars be and the same is hereby now transferred and reappropriated from Fund No. 36, Office Supplies, City Controller's Office to Fund No. 24, Printing and Advertising, City Controller's Office.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Comptroller:

GENERAL ORDINANCE NO. 113, 1926

AN ORDINANCE, Transferring the sum of Eighteen Hundred Dollars (\$1800) from Fund No. 11, "Salaries and Wages in the City Plan Department;" creating a fund to be known as Fund No. 21 "Communication and Transportation City Plan Department;" and reappropriating the said sum thereto. And fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Eighteen Hundred Dollars (\$1800) is now hereby transferred and reappropriated from Fund No. 11, "Salaries and Wages City Plan Department" to Fund No. 21, "Communication and Transportation in the City Plan Department."

Section 2. That a fund to be known as Fund No. 21, "Communications and Transportation City Plan Department" is now hereby created.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Comptroller:



## GENERAL ORDINANCE NO. 114, 1926

AN ORDINANCE, transferring the sum of Fifty (\$50.00) Dollars from Fund No. 36, Office Supplies, Mayor's Office and reappropriating the same to Fund No. 21, Communication and Transportation, Mayor's Office, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Fifty (\$50.00) Dollars be and the same is hereby now transferred and reappropriated from Fund No. 36, Office Supplies, Mayor's Office, to Fund No. 21, Communication and Transportation, Mayor's Office.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Comptroller:

## GENERAL ORDINANCE NO. 115, 1926

AN ORDINANCE, transferring the sum of Nine Hundred Fifty (\$950.00) Dollars from Fund No. 12, Laborers, St. Cleaning Department, under the Board of Public Works and reappropriating the same to Fund No. 12, Carpenter Department under the Board of Public Works, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Nine Hundred Fifty (\$950.00) Dollars be and the same is hereby now transferred and reappropriated from Fund No. 12, Laborers, St. Cleaning Department, under the Board of Public Works to Fund No. 12, Carpenter Department under the Board of Public Works.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman; Messrs. Dorsett, Raub, Springsteen and Negley.

By the Park Board:

## SPECIAL ORDINANCE NO. 6, 1926

AN ORDINANCE, authorizing the sale of certain personal property by the Board of Park Commissioners of the Department of Public Parks of the City of Indianapolis, Indiana, and fixing the time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the Board of Park Commissioners of the City of Indianapolis is hereby authorized to sell, and convey for cash, at public or private sale, for not less than the appraised value, which value is to be hereinafter determined by appraisers appointed by the Judge of the Circuit Court of Marion County, Indiana, as required by law, the following described personal property; i e., three two-story frame houses, in Indianapolis, Marion County, Indiana, to-wit:

Two-story frame house on Lot 11, in Seymour's sub-Division of the City of Indianapolis, Marion County, Indiana.

Two-story frame house on Lot 61, in Stratford, an Addition to the City of Indianapolis, Indiana, Marion County, Indiana.

Two-story frame house on Lot 12, Seymour's Sub-Division of the City of Indianapolis, Marion County, Indiana

belonging to the City of Indianapolis, Department of Public Parks, and in the care and custody of the said Board of Park Commissioners and which are no longer fit or needed for park purposes.

That said personal property shall be sold at public or private sale upon such notice or notices as the Board of Park Commissioners may determine.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on Parks.

By the Board of Works:

#### SPECIAL ORDINANCE NO. 7, 1926

AN ORDINANCE, authorizing the sale of certain personal property by the Board of Public Works of the City of Indianapolis, Indiana and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That two (2) quantities of junk in Indianapolis, Marion County, Indiana; the one quantity of junk consisting of old and broken man hole covers, oil barrels and worn out drinking fountains and similiar miscellaneous articles, being located at the City Yards; and the other quantity of junk consisting of old bridge iron and other miscellaneous obsolete articles being located near the intersection of Olive Street and Pleasant Run. All of the above mentioned property belonging to the City of Indianapolis, Department of Public Works and in the care and custody of said Department of Public Works and which is no longer fit or needed for the purposes of the above mentioned department.

That said personal property shall be sold at public or private

sale at such notice or notices as the Board of Public Works may determine.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Works.

By Mr. Dorsett:

November 29, 1926.

#### RESOLUTION NO. 14

WHEREAS, The people of the sections of Indianapolis beyond the Belt Railway have for the past twelve years worked faithfully for the improvement and development of their city thru the elevation of the Belt Railway Tracks. And

WHEREAS, When all their efforts seemed crowned with success there has been a complete stoppage of progress on this project since the first of January. And

WHEREAS, The people of this section are citizens and taxpayers and we of the City Administration are their representatives and servants. Now therefore

BE IT RESOLVED, That the President of the City Council request the Honorable Mayor to call at an early date a joint meeting of the Board of Public Works, The City Engineer, The Track Elevation Engineer, Mr. Landers of the Union Railway Company. The Union Railway Track Engineer, Also the Board of County Commissioners and a committee of four Councilmen to be appointed by the President of the Council to meet with a committee of the representative organization the above sections of Indianapolis, to ascertain the cause of the delay and to make plans for early commencement of this project.

Which was read a first time and referred to the Committee on Public Works.

#### CALL FOR ORDINANCES ON SECOND READING

Mr. Bartholomew moved that the rules be suspended for the passage of General Ordinances Nos. 109 to 115, inclusive, with the exception of No. 111.

Mr. Dorsett seconded the above motion, which was passed unanimously.

Mr. Bartholomew called for General Ordinance No. 109 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 109 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 109 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 110 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 110 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 110 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 112 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 112 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 112 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 113 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 113 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 113 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 114 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 114 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 114 was read a third time and passed by unanimous vote.



Mr. Bartholomew called for General Ordinance No. 115 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 115 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 115 was read a third time and passed by unanimous vote.

Mr. Albertson called for General Ordinance No. 90 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Dorsett, General Ordinance No. 90 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 90 was read a third time and passed by unanimous vote.

Mr. Albertson called for General Ordinance No. 92 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Dr. Todd, General Ordinance No. 92 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 92 was read a third time and passed by unanimous vote.

Mr. Raub called for General Ordinance No. 48 for second reading. It was read a second time.

Mr. Raub presented the following written amendment to General Ordinance No. 48:

Indianapolis, Ind., December 6, 1926.

*Mr. President:*

I move that General Ordinance No. 48, 1926 be amended to read as follows:

GENERAL ORDINANCE NO. 48  
(As amended)

TRAFFIC REGULATIONS

AN ORDINANCE, to regulate traffic in the streets, alleys, and pub-

lic places of the City of Indianapolis, defining violations thereof, repealing all ordinances in conflict therewith, declaring a penalty and designating a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

That the following Traffic Code be adopted for the City of Indianapolis, Indiana:

Section 1. Definitions. (a) The term "Congested District" shall constitute all of that part of the City included within the limits of the north curb line of Michigan street on the north, the west curb line of Senate avenue on the west, the north curb line of South Street on the south and the east curb line of New Jersey street on the east.

(b) The term "Silent Policeman," within the meaning of this Ordinance, shall be deemed to mean some suitable device, post, standard or sign, placed within any street or public place by order of the Board of Public Safety, as a warning, or for the control or direction of traffic.

(c) The term "Parking" within the meaning of this Ordinance, shall be deemed to mean, placing, allowing, permitting or stopping of any vehicle within any street or public place for any purpose other than loading or unloading passengers, freight goods, wares or merchandise, providing such loading or unloading of passengers shall not exceed five (5) minutes and such loading or unloading of the freight goods, wares or merchandise shall not exceed one and one-half hours.

(d) The term "Vehicle" within the meaning of this Ordinance with reference to traffic shall be deemed to include equestrians, led horses, automobiles and every vehicle on wheels, except street cars or other vehicles running on fixed tracks.

(e) The term "Horses" within the meaning of this Ordinance with reference to traffic shall include all domestic animals. The term "Driver" within the meaning of this Ordinance, shall be deemed to mean any person driving, riding or operating any such vehicle.

(f) The term "Circle" within the meaning of this Ordinance shall be deemed to mean that street encircling the Soldiers' and Sailors' Monument, namely "Monument Circle."

(g) The term "Slow Moving Vehicle" within the meaning of this Ordinance, shall be deemed to mean any vehicle traveling at a rate of speed not greater than ten (10) miles per hour.

Section 2. Rules of the Road. (a) Vehicles shall be driven in that part of the roadway to the right of the center, except one-way streets and alleys.

(b) In case any vehicle shall be operated at a distance of one hundred (100) feet or less, in front of another vehicle traveling in the same direction, such vehicle shall be operated within three (3) feet of the right hand curb of such street, unless passing an obstruction or other vehicle at or near such right hand curb, provided, however, that such vehicle passing such other vehicle or obstruction shall be operated within three (3) feet of any other vehicle or obstruction.

(c) Any vehicle overtaking another shall pass on the left side

of the overtaking vehicle and not pull over to the right until entirely clear of such overtaking vehicle, but shall not pass at any street intersection.

(d) Any vehicle turning into another street on the left, where left hand turns are not herein prohibited, shall circle around the center of the street intersection.

(e) No vehicle shall make a complete turn upon any street within the congested district, except at street intersections. Provided, however, that no such turn shall be made at corners where left-hand turns are herein prohibited.

(f) No vehicle shall stop with its left side to the curb except in alleys and one-way streets.

(g) All vehicles, while loading or unloading goods, wares or merchandise, or other material, within the congested district between the hours of eight a. m. and seven p. m. must stand parallel with the curb.

(h) Any vehicle waiting at the curb and not loading or unloading, shall promptly give way to another vehicle desiring to load or unload goods, wares, merchandise or other material, and no vehicle shall be left standing in any alley within the congested district between the hours of ten o'clock a. m. and seven o'clock p. m. longer than is necessary for the purpose of loading or unloading goods, wares or merchandise and other materials.

(i) No vehicle shall back in any street if at the time of so backing, there is another vehicle approaching upon such street within a distance of fifty (50) feet thereof.

(j) Street cars and interurban cars and public busses shall stop on the near side of intersecting streets and not the far side, for the purpose of taking on or discharging passengers, provided however, that when in the opinion of the Board of Public Safety, a near side stop would tend to cause danger, inconvenience or discomfort to passengers or hindrance to traffic at a particular intersection, said Board of Public Safety may by an order made by such board, designate a far side stop at such intersection and upon notice of such order the street car company or interurban company, their agents and employes, shall comply with the same and shall mark in a manner satisfactory to said Board, the location of such stopping.

(k) No vehicle shall be driven or moved so as to pass through, into or interfere with any civic, military or funeral procession except at the direction of a traffic officer or automatic signal.

Section 3. Right of way. (a) Fire Department vehicles, Police Department vehicles, Salvage Corps vehicles, Emergency Ambulances, both public and private, U. S. Mail vehicles and Emergency Repair vehicles of all public utility companies and funeral processions shall have the right-of-way over all traffic in any street or other public place and through any procession, provided however, that the Fire and Police Department vehicles shall have the right of way over every other kind of traffic whatsoever and provided, further, that the Fire Department shall have the right of way over Police Department vehicles, and all others shall have right-of-way in the order named.

(b) Traffic from the right shall have the right-of-way over traffic from the left, except as hereinafter provided.

(c) Traffic on Washington Street and all boulevards as established by the Common Council or the Department of Park Commissioners of such City, shall have the right-of-way over all traffic or other streets unless hereinafter otherwise provided.

(d) Traffic on Massachusetts, Indiana, Kentucky and Virginia Avenues, shall have the right-of-way over all traffic on other streets.

(e) On East New York Street, from Delaware Street to Emerson Avenue, east and west traffic shall have the right-of-way over the north and south traffic. On East Michigan Street from the Big Four Railroad tracks to Emerson Avenue, the east and west traffic shall have the right-of-way over the north and south traffic. On East Tenth Street from the Big Four Railroad track elevation to Emerson Avenue, the east and west traffic shall have the right-of-way over the north and south traffic. On West Michigan Street from White River, west to the city limits, east and west traffic shall have the right-of-way over the north and south traffic. On Oliver Avenue, from White River west to the City limits, the east and west traffic shall have the right-of-way over the north and south traffic. On Morris Street from Shelby Street west to Eagle Creek, the east and west traffic shall have the right-of-way over the north and south traffic; and all traffic in Harding Street at the intersection of Morris Street shall come to a complete stop before entering into or crossing Morris Street at the intersection of Morris and Harding Streets. On Capitol Avenue from Washington Street to Westfield Boulevard, the north and south traffic shall have the right-of-way over the east and west traffic. On Meridian Street from Troy Avenue to the canal the north and south traffic shall have the right-of-way over the east and west traffic. On Twenty-fifth Street from Delaware Street east to Sherman Drive east and west traffic shall have the right-of-way over the north and south traffic; On Thirtieth Street from the City limits west to city limits east the east and west traffic shall have the right of way over north and south traffic; On Emerson Avenue from city limits north to city limits south the north and south traffic shall have the right-of-way over east and west traffic.

(f) All vehicles, city and interurban cars and public busses approaching any of the following named streets and avenues shall come to a complete stop before continuing into or across same:— North Capitol Avenue from Washington Street to Westfield Boulevard; Meridian Street from Troy Avenue to the Canal; East New York Street from Delaware Street to Dorman Street; Marlow Avenue from Dorman Street to Arsenal; East New York Street from Arsenal to Emerson Avenue; East Michigan Street from Big Four Railroad tracks to Emerson Avenue; Washington Street from city limits east to city limits west; Maple Road Boulevard from Northwestern Avenue to Fall Creek; Fall Creek Boulevard north; Washington Boulevard from Fall Creek to the Canal; Delaware Street from Washington Street north to Thirty-second Street; Burdsal Parkway from Northwestern Avenue to East Riverside Drive; Northwestern Avenue from Fifteenth Street to the city limits; Massachusetts Avenue from Ohio Street to the city limits; Kentucky Avenue from Washington Street to the city limits; Clifton Street from Roach Street to Thirty-sixth Street; Indiana Avenue from Ohio Street to Sixteenth Street; Sixteenth Street from Sugar Grove to White River



Parkway; Virginia Avenue from Washington Street to Prospect Street; Madison Avenue from South Street to the city limits; Twenty-ninth Street from Capitol Avenue to East Riverside Drive; Pleasant Run Boulevard from Meridian Street east to Prospect Street; Morris Street from Madison Avenue to west city limits; Prospect Street from Fountain Square east to Keystone Avenue; Twenty-fifth Street from Delaware east to Sherman Drive; Thirtieth Street from city limits west to city limits east. The above named Streets and Avenues as set out in this sub section (f) are hereby declared to be preferential streets, for the purpose of regulating traffic upon or crossing over same.

(g) At street intersections where silent policemen are placed, vehicles entering such intersection shall not cross the center of such intersection streets, if at such time another vehicle is approaching from its right and about to cross its path, and is at a point within three (3) feet of such intersection. Such vehicle at the right unless herein otherwise provided, shall have the right-of-way over such other vehicle.

(h) The driver of any vehicle on the approach of any fire or police apparatus shall immediately drive said vehicle to the curb at the right hand of the driver and stop such vehicle until such apparatus is passed.

(i) No vehicle shall follow closer than three hundred (300) feet of any fire apparatus while the same is answering an alarm of fire, and shall not approach said fire apparatus, or park said vehicle within six hundred (600) feet of the same after said apparatus has arrived and stopped at the destination of a fire.

(j) Street cars, upon the approach of such fire or police apparatus shall be stopped immediately, if between a street intersection.

(k) The driver of any vehicle shall not enter any street intersection if police or fire apparatus is approaching such street intersection within a distance of three Hundred (300) feet.

Section 4. (a) Parking Parallel. All vehicles, whenever and wherever parked, shall be parked parallel to the curb, and with the outer edge of the tires thereof within six inches of the curb, and with a clear space of two feet left ahead and behind the same except as hereinafter provided.

(b) Parking at an angle. At the outer curb of Monument Circle all parking of vehicles shall be at an angle of forty-five (45) degrees to the curb thereof.

Section 5. Parking. On all streets and avenues thirty feet or less in width from curb to curb, the parking of vehicles shall be restricted to one side of the street; or avenue; if the street runs north and south, parking shall be on the west side only; if the street runs east and west, parking shall be on the north side only, except as hereinafter provided.

Section 6. Parking prohibited. There shall be no parking at any time at the following places:

(1) The west side of Illinois Street between Washington and Court Streets;

(2) The east side of Illinois Street between Washington and Pearl Streets;

(3) The east side of Meridian Street between Washington and Pearl Streets;

(4) The west side of Pennsylvania Street between Washington and Court Streets;

(5) The South side of Thirtieth Street from Fall Creek to White River;

(6) The south side of Sixteenth Street from the Monon tracks to Senate Avenue;

(7) The south side of St. Clair Street from the Monon tracks to Senate Avenue;

(8) The south side of East Forty-second Street between College and Carrollton Avenue;

(9) The south side of East Forty-second Street from College to Broadway;

(10) The east side of Clifton Street between Roach and Thirty-fourth Streets;

(11) The south side of New York Street from Randolph Street to Emerson Avenue;

(12) The west side of Bird Street between Ohio and New York Streets;

(13) The south side of East Tenth Street from Massachusetts Avenue Railroad track elevation to Olney Street;

(14) The south side of Fourteenth Street between Illinois and Meridian Streets;

(15) The south side of Fourteenth Street between Meridian and Pennsylvania Streets;

(16) The south side of Forty-sixth Street from Illinois Street to College Avenue;

(17) The south side of West Tenth Street from Meridian Street to Indiana Avenue;

(18) The south side of Howard Street from Harding Street to Belmont Avenue;

(19) The south side of Nineteenth Street between Illinois and Meridian Streets;

(20) The south side of Nineteenth Street between Delaware and New Jersey Streets;

(21) The west side of Meridian Street from Bluff Avenue to the Belt Railroad;

(22) The south side of Seventeenth Street between Meridian and Pennsylvania Streets;

(23) The east side of Illinois Street between Washington Street and a point forty feet north of Washington Street;

(24) The south side of East New York Street from Oxford Street to Belt Railroad tracks;

(25) The west side of Hawthorn Lane from Washington to Lowell Avenue;

(26) The west side of Fort Wayne Avenue between Pennsylvania and St. Clair Streets;

(27) The west side of Station Street from Roosevelt Avenue to Twenty-fifth Street;

(28) The northeast side of Southeastern Avenue from Washington Street to Leota Street;

(29) The west side of Riverside Drive from Eighteenth Street to Nineteenth Street;

(30) The north side of Seventeenth Street from Park Avenue to Central Avenue;

(31) At the inner curb in Monument Circle;

(32) On the north side of Palmer Street from Shelby Street to Barth Avenue;

(33) In any street or alley in the congested district, where the width of the same is less than forty feet from curb to curb, except on the south side of Court Street between Delaware and Pennsylvania Streets, from 6:30 p. m. to 6:30 a. m.

(34) For a space of twenty-five feet immediately in front of the entrance of any church, hotel, theatre, motion picture house, steam railway station, bus station or interurban station, or other public meeting place; within a space of forty feet in front of the entrance of any hotel where such space is reserved to the hotel by special permit from the Board of Public Safety, within a distance of twenty-five feet of any roadway intersection; within ten feet of any city fire hydrant;

(35) On the south side of North Street from Cincinnati Street to Noble Street; on the south side of Walnut Street between Liberty and Noble Streets; on the west side of Liberty Street from North Street to Walnut Street; on the west side of Noble Street; from North Street to Walnut Street; between the hours of 6:00 o'clock a. m. and 6:00 o'clock p. m. of each day except Sunday;

(36) On the west side of Butler Avenue, between Washington Street and the Pennsylvania tracks;

(37) On the west side of Osage Street between Ohio and New York Streets;

(38) On the south side of Fortieth Street between Illinois Street and Boulevard Place;

(39) On the east side of Central Avenue from Fort Wayne Avenue to Eleventh Street and on the south side of Henry Street between Illinois and Meridian Streets between 6:00 o'clock a. m. and 9:00 o'clock p. m.;

(40) On Oriental Street between Washington Street and the first alley north thereof and on the north side of Washington Street from Oriental Street east and west to points 150 feet distant therefrom;

(41) On any bridge or under any elevation within the congested district of the City;

(42) On the west side of Belmont Street from Washington Street to Oliver Avenue;

(43) Between the hours of seven o'clock p. m. and eight o'clock a. m. there shall be no limitations as to the duration of time in which vehicles shall be parked, where parking is prohibited, except that at no time, in any street, avenue or alley, shall any vehicle remain parked for a continuous period exceeding twelve hours.

(44) During any public parade, assembly or demonstrations

upon the public streets or during any emergency, the police department and members thereof may prohibit parking upon any street, and any owner, driver or operator of any vehicle when called upon by a police officer at such times to remove the same, shall do so immediately and if such owner, driver or operator cannot be found, any member of the police force may order such car removed from its parking place to a public garage, and notify said owner, driver or operator thereof.

Section 7. Restricted Parking. The parking of vehicles between the hours of 8 a. m. and 7 p. m. in the streets, alleys and public places in the city of Indianapolis, is hereby restricted as follows: (A) To thirty minutes in the district bounded by the south curb line of Maryland Street on the south, the north curb line of New York Street on the north, the west curb line of Capitol Avenue on the west and the east curb line of Delaware Street on the east. (B) To one and one-half hours in the congested district outside of the district bounded in sub-section A above. (C) To twelve hours on all streets and avenues outside the congested district.

Section 8. Reserved Space. (a) The Board of Public Safety may by distinct lines or other signs mark off such parking spaces as they may deem necessary and proper in a manner that may be visible and easily seen, and said Board may mark off and reserve a space not exceeding forty feet in front of the entrance of any hotel for the use of such hotel. (b) The occupant of any premises may prevent any parking of vehicles upon any public street in front of such premises in the following manner: Such occupant shall deposit in the office of the City Controller the sum of ten (\$10.00) dollars, one-half of which shall immediately go into general fund of the city, for which deposit the City Controller shall give a receipt which when presented to the Chief of Police shall entitle such occupant to receive two (2) iron markers bearing the inscription "NO PARKING" or words of equivalent meaning, such markers to be known as "Silent Policemen." Such occupant upon returning to the Chief of Police said "Silent Policemen" shall receive a receipt therefor, which when presented to the City Controller shall entitle him to a refund of one-half of such deposit. Such occupant may place said "Silent Policemen" upon the edge of the sidewalk adjacent to the roadway in front of said premises, not to exceed eighteen (18) feet apart, and while they are so placed no vehicle shall be parked in the space included between them, provided, however, that if any vehicle is lawfully parked therein when said "Silent Policemen" are set out, such vehicle may remain parked therein until the expiration of the then remaining parking time allowed by this ordinance. A space not greater than eighteen (18) feet in length may be reserved in the following manner: Reservations of such space and the prohibiting of parking therein shall be made only when such space is required immediately by said occupants and between the hours of eight o'clock a. m. and seven o'clock p. m. and then only for the purpose of loading or unloading of passengers, goods, wares, merchandise or material, and such space shall be released immediately upon the termination of the necessity for such reservation thereof, and such "Silent Policemen" shall immediately be removed from view. Nothing contained in this paragraph shall authorize the reservation of space for the parking of any occupants' own vehicle or vehicles. When there are two or more occupants of



any premises who use a common entrance thereto, only one space can be so reserved. Provided, however, that such occupants may by private arrangements among themselves make use in common of a single set of "Silent Policemen," but such space shall not be held in reserve for succeeding periods by reason of such common use. Provided, further, that in addition to the penalties hereinafter provided, any occupant or occupants of such premises found guilty of violating any of the provisions of this section shall be deprived of the further use of such "Silent Policemen," shall surrender the same to the Chief of Police, and the balance of the ten dollars deposited with the City Controller shall be forfeited and become a part of the General Fund of the city of Indianapolis, Indiana.

Occupants desiring more than eighteen (18) feet of space may obtain the same on special permit from the Board of Safety and by renting an additional marker for each additional eighteen (18) feet of space desired and for each additional marker shall make a further deposit of ten dollars each.

In addition to the deposit required for markers an annual rental of Fifty (\$50.00) Dollars shall be paid in advance to the City Controller for the markers for the first eighteen (18) feet and for a marker for each additional eighteen (18) feet they shall pay an annual rental of One Hundred (\$100) Dollars, provided that no more than seventy-two (72) feet shall be so reserved.

Section 9. Parking Permits. Whenever any hotel, having not less than two hundred guest rooms, or any social club or organization having not less than one thousand bona fide members, and which hotel, club, or organization shall be located within the congested district of the city, shall make a request in writing to the Board of Public Safety for special parking space on the street adjacent to such hotel, club or organization, the Board of Public Safety shall set apart not more than two such parking spaces for each hotel, club or organization making such request, which space shall be designated by such board with appropriate markers or standards, and shall be used exclusively for the purpose of parking of vehicles used for the transportation of passengers to and from such hotels, clubs or organizations. In no instance shall such parking space exceed twenty-four feet in length along the curb of such streets. Such hotels, clubs or organizations shall pay to the City Controller a license fee annually of \$25.00 for the use of such standards or markers. Such parking spaces, when so marked off and set aside, shall be used for no other parking purposes than those enumerated in the next preceding section.

Such hotel, club, or organization may designate in writing to the Board of Public Safety from time to time for their respective places, the persons who shall use such parking spaces for such purpose on such adjacent streets. After such spaces have been properly marked off and designated as provided in this section and such hotel, club or organization shall have designated the persons who shall use said space, it shall thereafter be unlawful for any other person to use such parking space.

Section 10. Safety Zones. The Board of Public Safety may establish Safety Zones which shall be marked off and indicated by painted lines, standards, discs or unloading platforms and it shall be unlawful for the drivers of any vehicle to drive over or into any

such Safety Zones, or any such painted lines, standards, discs or loading platforms at any time.

No vehicle shall remain stationary in that part of the street parallel to any such Safety Zone or within twenty (20) feet from the end thereof, except upon signal of the traffic officer directing the traffic at such places or to unload freight or passengers to business houses fronting on such Safety Zones, where there is no other means of access thereto.

Section 11. Right and Left Hand Turns. No vehicle shall be turned to the right or to the left for the purpose of entering into or upon another street at the intersection of Washington and Meridian Streets during the following named periods: From eleven-thirty (11:30) a. m. to two (2) o'clock p. m., and from four-thirty (4:30) p. m. to six (6) o'clock p. m.

Section 12. Left Hand Turns. (a) No vehicle shall be turned to its left for the purpose of turning around in any street or for turning into another street at any of the following corners, within such city during the hours any traffic policeman is on duty at such corners. Washington Street and Illinois Street; Washington Street and Pennsylvania Street; Ohio Street and Pennsylvania Street, and Ohio Street and Illinois Street.

(b) At all other street intersections within the Congested District, not named in this section or the preceding section, where traffic officers are on duty, right or left-hand turns may be made when in the judgment of the traffic officer, the condition of traffic will permit.

(c) All vehicles entering the Circle shall turn to the right and all traffic therein shall proceed in one direction, namely counter clockwise, as from south to northeast, from east to northwest, from north to southwest and from west to southeast.

Section 13. Movement of Traffic. (a). On Massachusetts Avenue at Ohio Street, vehicles shall move west with the west bound traffic.

(b). On Indiana Avenue at Illinois Street, vehicles shall move south with the south bound traffic.

(c). On Virginia Avenue at Pennsylvania Street, vehicles shall move north with the north bound traffic.

(d). On Kentucky Avenue at Washington Street, vehicles shall move east with the east bound traffic.

(e). On Massachusetts Avenue, Indiana Avenue, Kentucky Avenue and Virginia Avenue, except as otherwise herein provided, all vehicles shall be governed as to the direction they move at crossings, by the signals of police officers and the indication of three-way semaphores.

Section 14. One-Way Streets. (a) In the Congested District in Wabash, Court, Pearl, Muskingum and Chesapeake Streets and in McCrea between Georgia and Louisiana Streets and in Louisiana Street between McCrea and Meridian Streets, all vehicles shall move in one direction only; entering from the north and proceeding south; and entering from the east and proceeding west.

(b) In Court Street from New Jersey Street to West Street and in Pearl Street from New Jersey Street to Alabama Street, traffic shall enter from the east and move west only.

(c) In all alleys running north and south in the Congested District, vehicles shall enter from the north and proceed to the south. In all alleys running east and west in the congested District, vehicles shall enter from the east and proceed to the west, and all traffic shall turn to the right when entering or leaving the alleys in such Congested District.

(d) The following named streets are hereby declared to be one-way streets from the hours of eight a. m. to seven p. m., between the points hereinafter designated: Bird Street, northbound traffic only from Ohio to New York Street; Hudson Street, northbound traffic only from New York Street to Ohio Street; Chesapeake Street, west bound traffic only from Delaware Street to Capitol Avenue.

Section 15. Loading and Unloading Passengers. Taxicabs, busses and other vehicles except street cars must load or unload passengers at a point in the street at the curbing, except where busses run along streets having street car lines within the congested district under which conditions said busses shall use the street car tracks and load and unload passengers at the safety zones.

Section 16. Officers' Signals. Traffic Officers stationed at street intersections shall direct the movements of all vehicles within such street intersections by the use of a semaphore or other signals. In case such signal consists of a whistle, such officer shall give one blast of the whistle which will indicate that traffic shall move north and south; two blasts of such whistle, which shall indicate that traffic shall move east and west at any intersection where Massachusetts, Indiana, Kentucky or Virginia Avenues intersect, such traffic shall move in case of such signal by three blasts of the whistle, unless otherwise herein provided. A series of short blasts of such whistle shall indicate danger. Traffic shall move in only one direction, and when indicated by such signal, or by signal displayed by such semaphore and operated by traffic or other police officers, indicating the direction to which traffic is to move. These provisions shall govern the movement of all vehicles and all city and interurban cars. These provisions shall also apply to automatic traffic signals wherever the same are in operation.

Section 17. Signals. (a). All drivers and pedestrians must at all times comply with any direction given by the voice, hand or other means, by any member of the police or fire force, as to stopping, starting, approaching or departing from any place, the manner of taking up and setting down passengers or loading or unloading goods.

(b) All drivers of vehicles before crossing any sidewalk into or out of driveways or alleys shall give warning to pedestrians using the same, of their intentions so to do by sounding the horn or by some other distinct manner.

Section 18. Pedestrians. (a) All pedestrians crossing the street intersections in the Congested District shall cross at right angle, and shall not cross diagonally at such intersections. Such pedestrians shall cross only on the signal of the traffic officer or "Silent Policeman," if one is stationed at such crossing, and shall move only in the direction of the traffic.

Section 19. Taxicab and Bus Stands. No taxicab shall park



at any place within the Congested District except within the following places:

(a) For a continuous space of one hundred and fifty (150) feet on Kentucky Avenue, from the corner of Illinois Street and Kentucky Avenue, on the south east side of said Kentucky Avenue.

(b) For a continuous space of one hundred and fifty (150) feet on the east end of Market Street between Illinois Street and Capitol Avenue on the north side thereof.

(c) On the east side of South Illinois Street beginning at a point ten (10) feet south of the south curb line of Jackson Place and extending south a distance of one hundred (100) feet.

(d) For a continuous space of fifty (50) feet west of the west curb line of Illinois Street on the north side of Washington Street.

(e) On the North Side of Washington Street beginning at a point 28 feet west of the west line of Scioto Street and continuing thence west 14 feet.

(f) Between the hours of eight o'clock a. m. and seven o'clock p. m., no vehicles except taxicabs shall park in or on any of the aforesaid spaces reserved for taxicabs.

Section 20. Delivery Vehicles. (a) On all streets, alleys and public places commercial delivery and slow moving vehicles, shall be operated within three (3) feet of the right hand curb of such street, unless prevented from doing so by another vehicle at or near such curb.

(b) No commercial delivery vehicle shall be operated within the Congested District on Washington, Market, Ohio, Pennsylvania, Meridian or Illinois Streets, except to haul loads over said streets to be delivered within such Congested District, or to haul any load from a point within such Congested District or to some other point inside or outside of such Congested District, provided, however, that in any such case, such vehicle shall be driven over the shortest route within such Congested District. No commercial vehicle or vehicle used for heavy hauling shall be operated on Meridian Street between Sixteenth Street and Fall Creek Boulevard except where the same is necessary and unavoidable in delivering goods or materials to and from points within such territory, provided, however, that in any such cases, such vehicle shall be driven over the shortest route necessary within such territory.

Section 21. Regulations of Vehicles. (a) No vehicle shall be driven upon any street so loaded or constructed as to prevent the driver thereof from having a clear view of the traffic on both sides of each vehicle.

(b) No vehicle shall be operated in or upon any such street or other public places, if either such vehicle or its load or the contents thereof make a lot of unusual noise. All vehicles shall be constructed or loaded in a manner to prevent the contents from being scattered upon or over the street.

(c) No vehicle shall be driven or maintained upon the streets or public places of such city, containing any material or load projecting a distance of more than five (5) feet from the rear end of such vehicle, unless the same shall be provided with a signal as herein provided. From the hours of thirty (30) minutes after sunset



to thirty (30) minutes before sunrise such vehicle shall have attached to the rear end of such load, a red light of sufficient rays to be visible a distance of two hundred (200) feet, and if in the day-time such signal shall be a red flag in place of such red light.

(d) All horse-drawn vehicles and human-propelled, including bicycles, shall maintain a lighted light of white rays on the front and red light on the rear thereof, both of which shall be visible for a distance of one hundred (100) feet, while such vehicle is in or upon any street, alley or other public place in such city during the period of from one-half ( $\frac{1}{2}$ ) hour after sunset until one-half ( $\frac{1}{2}$ ) hour before sunrise.

Section 22. Towing Vehicles. No vehicle shall tow another in or upon any street or public place unless such vehicles are operated at a distance of less than fifteen (15) feet apart. If such vehicle being towed at any time between one-half ( $\frac{1}{2}$ ) hour after sunset, and one-half ( $\frac{1}{2}$ ) hour before sunrise, such vehicle being towed shall maintain lights on both sides and the rear thereof, visible in the rear and on both sides for a distance of at least two hundred (200) feet.

Section 23. Trailers. (a) Not more than one vehicle with or without motive power, commonly called a trailer, may be attached to another vehicle having motive power.

(b) No trailer shall be attached to any vehicle in such manner as to leave more space than five (5) feet between the rear line of the body of the front vehicle and the front of the body of such trailer.

(c) Every vehicle used as a trailer shall be subject to all the provisions of ordinances relating to license and lights for the vehicle to which it is attached.

(d) Provided however, that this section shall not apply to any vehicle or trailer operated by the City of Indianapolis, except as to the provisions for lights.

Section 24. Age of Driver. No person under fourteen (14) years of age shall be permitted to drive any horse-drawn vehicle.

Section 25. Permitting Child to Drive. It shall be unlawful for the owner of any motor vehicle or motor bicycle or other person, to permit the same to be driven by any person under sixteen (16) years of age, and it shall be unlawful for the owner of any horse-drawn vehicle or other person to permit the same to be driven by any person under the age of fourteen (14) years.

Section 26. Hanging on Vehicles. No one shall ride upon, hold to or hang upon any vehicle in such manner, that his body or any part of it, shall protrude beyond the limits of the vehicle.

Section 27. Use of Red Light. (a) No vehicles excepting those of the Fire Force, Police Force, Emergency Ambulances and Salvage Corps, shall use red light, as flash lights or spot lights on the front of said vehicle.

Section 28. Quiet Zone. (a) There is hereby created and established a "Zone of Quiet," in all territory embraced in a distance of two hundred and fifty (250) feet from the premises of each hospital in such city. The Board of Public Safety may place at some conspicuous place in said street, within such radius of two hundred and fifty (250) feet, a sign or placard containing the following

words, "ZONE OF QUIET." No person or vehicle shall make any loud or unusual noise, sound or music within or upon any streets, alleys, or public places within any such "Quiet Zones," and the making of the same is hereby declared to be a nuisance.

(b) The use of any automobile horn for any purpose other than as a warning of the approach or as a danger signal is hereby declared to be a nuisance.

(c) No siren, whistle, gong, horn or device, such as are used by the Fire Department Vehicles, Police Department Vehicles, Salvage Corps Vehicles, Emergency Ambulances, both public and private, U. S. Mail Vehicles, and the Emergency Repair vehicles of public utility companies, shall be used on bicycles, motor bicycles, automobiles, motor trucks, or other vehicles not herein mentioned and such use thereof is declared to be a nuisance.

Section 29. Street Cars. (a) Street Cars shall have the right-of-way over all other traffic except as herein otherwise provided, between cross streets. In case any vehicle or person shall be in or upon any track over which an approaching street car is traveling, the operator of such street car shall signal the driver of such vehicle, and upon such signal it shall be the duty as soon as practicable for such driver of such vehicle or such pedestrian to turn out of such track.

(b) The operator of any street car when the same is exceeding the rate of speed of ten (10) miles per hour, shall not operate the same except at a distance of more than two hundred (200) feet from any other street car on the same track, and when such street car is being operated at a speed not exceeding ten (10) miles per hour, or when such street car is stopped during blockades or otherwise a clear space of not less than ten (10) feet shall be kept between such street car and any other street car on the same track, provided however, that this provision shall not apply in case of two or more street cars or trailers attached together, or about to be attached together for the purpose of being operated while connected with each other.

(c) City street cars and interurban cars shall not be operated at any place within the city at a greater rate of speed than twenty-five (25) miles per hour, outside the Congested District, and not exceeding ten (10) miles per hour within the Congested District.

(d) All passengers must be loaded and unloaded in Safety Zones as marked by the Police Department.

Section 30. Front Seats. Not more than three persons, including the driver, shall ride in the front seat of an automobile.

Section 31. Moving. No person, firm or corporation shall move into or out of any building within the Congested District, the furnishings, equipment or personal property of any residence office or business place, in any moving van or vehicle, between the hours of 8. a. and 7 p. m. without first procuring a permit to do so from the traffic department of the Indianapolis Police Department. This section is not intended to apply to the delivery of merchandise.

Section 32. Busses. Busses shall stop parallel to the curb on the near side of the crossing only, outside the congested district, except as otherwise provided herein. Inside the congested district, the traffic department of the Indianapolis Police Department may

establish and designate safety zones, in addition to those enumerated herein, where busses may load and unload passengers.

Section 33. Reporting at Traffic Office. Notice. Whenever a member of the Police Force shall find that any of the provisions of this ordinance, relating to Traffic Regulations, are being violated by the owner or operator of any vehicle such officer shall notify such owner or operator in writing of such violation and for him to report at the Traffic Office within seventy-two hours. Such notice shall be made in duplicate and shall show the specific violation, the State License number of such vehicle and the owner's name, if possible to obtain the same, and shall be signed by such police officer giving his badge number. One copy of such notice shall be presented to the owner of such vehicle or his representative when found in charge of such vehicle, and in case such owner or his representative be not found in possession or in charge thereof, the posting of such notice in a conspicuous place upon the vehicle shall be deemed sufficient notice of such violation. It shall be the duty of such police officer to make a report to the Traffic Office of the service of such notice which report shall give the nature of the violation, the State License number of the vehicle and the name of the owner upon whom such notice was served, if possible to obtain it. The owner or operator of such vehicle who has been notified of a violation of the Traffic Regulations as herein provided shall, within seventy-two hours after having been notified, present himself, together with the notice, at the Traffic Office at Police Headquarters, and for the first violation of any traffic regulation as herein provided shall pay to the City Clerk a fee of two dollars (\$2.00); for the second violation a fee of three dollars (\$3.00); and for each subsequent violation, a fee of five dollars (\$5.00).

Section 34. Receipt for Fees, Accounting. Upon the payment of the fee provided in the next preceding section the City Clerk shall issue a receipt to the owner of such vehicle, or his representative, and it is hereby made the duty of said Clerk to keep a correct record, showing the amount so paid, the date thereof, the number of the State License, and the name of the owner, and shall designate the violation for which such fee is paid, and whether or not such violation is the first, second, or a subsequent violation by such owner, And it is made the duty of such clerk to account for all fees assessed and collected by him under the provisions of this and the next preceding section and to pay the same into the City Treasury once each month.

Section 35. Failure to Report. Whenever any person who has been notified to appear as provided in the next preceding two sections of this ordinance shall fail or refuse to present himself at the Traffic Office within seventy-two hours after service of such notice, or shall fail to pay the fee provided for his offense, it is hereby made the duty of the officer serving such notice to file, or cause to be filed, in the proper court, an affidavit charging such person with the violation specified in the notice, and to assist in the prosecution of such charge.

Section 36. No pedestrian, and no driver of any vehicle, or bus or street car or interurban car, shall cross the track of any railroad or interurban car at any street intersection in this city if danger is indicated by any signal at said crossing, including flash



light signals, wig-wag signals, crossing alarm bells, the lowering of crossing gates, or the hand or flag signal of any ground flagman or watchman stationed at any such crossing within the corporate limits of the city of Indianapolis.

Section 37. Penalty. It is hereby made the duty of every person, firm or corporation, operating any vehicle within such city, or causing or permitting the use or operation of any such vehicle to comply with the provisions of this ordinance with reference to traffic. Any person violating any of the above provisions of the next preceding thirty-six sections, shall, on conviction be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred and eighty (180) days.

Section 38. All Ordinances and parts of ordinances in conflict with any or all of the provisions of this ordinance are hereby repealed and declared null and void.

Section 39. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Mr. Springsteen presented the following written amendment to Mr. Raub's amendment:

Indianapolis, Ind., December 6, 1926.

*Mr. President:*

I move that General Ordinance No. 48, 1926, be amended by striking out Paragraph (B) of Section 4, and inserting in lieu thereof the following:

(B) Parking at An Angle. All parking shall be at an angle of forty-five degrees to the curb on the following designated streets: At the outer curb of Monument Circle; both sides of West Washington Street from Capitol Avenue to White River; both sides of East Washington Street from Delaware to Southeastern Avenue; both sides of Ohio Street from Pennsylvania Street to East Street; the East side of Delaware Street from Massachusetts Avenue to Washington Street; the west side of Alabama Street from Massachusetts Avenue to Washington Street; both sides of Kentucky Avenue from Washington Street to Georgia Street; both sides of Indiana Avenue from Illinois Street to Senate Avenue; both sides of Virginia Avenue from Washington Street to Maryland Street; both sides of East Market Street from Delaware Street to East Street.

On motion of Mr. Springsteen, seconded by Dr. Todd, the above amendment was adopted by the following vote:

Ayes, 7, viz.: Messrs. Bartholomew, Ferguson, Negley, Raub, Springsteen, Todd and President Moore.

Noes, 2, viz.: Messrs. Albertson and Dorsett.

After the vote was taken, Mr. Albertson changed his vote from no to aye.



Mr. Springsteen presented the following written amendment to Mr. Raub's amendment, which was passed by unanimous vote:

Indianapolis, Ind., December 6, 1926.

*Mr. President:*

I move that General Ordinance No. 48, 1926, be amended by changing the words "North curb line of New York Street on the North," to read, "South side of Ohio Street on the North" in paragraph (a) of Section 7.

On motion of Dr. Todd, seconded by Mr. Bartholomew, the Common Council recessed for five minutes at 8:35 o'clock p. m.

The Council reconvened at 8:45 o'clock p. m., the same members being present as before.

Mr. Raub moved that his amendment to General Ordinance No. 48, with the above noted amendments, be passed.

Mr. Negley seconded the above motion, which failed to pass by the following vote:

Noes, 5, viz.: Messrs. Albertson, Bartholomew, Dorsett, Todd and President Moore.

Ayes, 4, viz.: Messrs. Ferguson, Negley, Raub and Springsteen.

On motion of Mr. Raub, seconded by Dr. Todd, General Ordinance No. 48, as amended, was stricken from the files by the following vote:

Ayes, 5, viz.: Messrs. Ferguson, Negley, Raub, Springsteen and Todd.

Noes, 4, viz.: Messrs. Albertson, Bartholomew, Dorsett and President Moore.

Mr. Raub called for a committee report on General Ordinance No. 104.

Mr. Bartholomew asked for more time for General Ordinance No. 104.

The Committee on General Ordinance No. 104 was given more time by the following vote:

Ayes, 7, viz.: Messrs. Albertson, Bartholomew, Dorsett, Ferguson, Negley, Todd and President Moore.

Noes, 2, viz.: Messrs. Raub and Springsteen.

Mr. Albertson called for General Ordinance No. 87 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Raub, General Ordinance No. 87 was postponed indefinitely by the following vote:

Ayes, 7, viz.: Messrs. Bartholomew, Ferguson, Negley, Raub, Springsteen, Todd and President Moore.

Noes, 2, viz.: Messrs. Albertson and Dorsett.

Mr. Albertson called for General Ordinance No. 103 for second reading. It was read a second time.

Mr. Bartholomew moved that the committee have more time on General Ordinance No. 103.

The above motion was seconded by Mr. Dorsett and passed unanimously.

Mr. Bartholomew moved that the Committee on General Ordinance No. 101 have more time.

Dr. Todd seconded the above motion, which passed by the following vote:

Ayes, 7, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Negley, Springsteen, Todd and President Moore.

Noes, 2, viz.: Messrs. Albertson and Raub.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, the Common Council of the City of Indianapolis adjourned at 9 o'clock p. m.

*Baynton J. Moore*

President.

Attest:

*William A. Boyce, Jr.*

City Clerk.

## SPECIAL MEETING

Monday, December 13, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, December 13, 1926, at 7:30 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

December 10, 1926.

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Monday, December 13, 1926 at 7.30 p. m., the purpose of such special meeting being to consider communications from the Mayor and City Officers, consideration of all ordinances pending before the Council and the introduction of new ordinances.

Respectfully,

BOYNTON J. MOORE,  
President, Common Council.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of such special meeting, pursuant to the rules.

In Witness Whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

WILLIAM J. BOYCE, JR.,  
City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and eight members, viz.: Claude E. Negley, Edward B. Raub, O. Ray Albertson, Robert E. Springsteen, Walter R. Dorsett, Millard W. Ferguson, Otis E. Bartholomew and Austin H. Todd.

The reading of the journal was dispensed with on motion of Mr. Dorsett, seconded by Mr. Bartholomew.

## COMMUNICATIONS FROM THE MAYOR

At this point Mr. Raub rose to a point of order, which was submitted in writing as follows:



WHEREAS, The call for this special meeting states that the meeting is to consider communications from the Mayor and other City Officers, all Ordinances pending before the Council, and introduction of new Ordinances. And

WHEREAS, Rule 2, Section 376, Municipal Code of Indianapolis, 1925, limits the power of the Council at special meetings to matters specifically stated in the call, which rule reads as follows: "At special meeting of the Common Council only such ordinances or resolutions shall be considered or acted upon, or such communications received, as are specifically stated in the call for said special meeting."

I therefore desire to suggest that I will not consent to a waiver or suspension of this rule, tho not admitting it can be waived or suspended, and desire to call the attention of this Council and you, Mr. President, that under the rule above, no communications can be received and no ordinances or resolutions considered or acted upon, except as specifically stated in the call. The call for this meeting mentions no specific communications or ordinances.

I therefore insist upon the point of order that this meeting is without authority to receive any communications, also without authority to consider or act upon any pending ordinances; and also without authority to introduce new ordinances.

This rule of the Council is based on sound public policy.

The members as well as the general public are entitled to know what matters are to be considered at special meetings.

Our rules cannot be waived or suspended. As was held in State vs. Weindell 146 sec. 527 the rules can only be amended or repealed by ordinance.

I therefore submit further that any action in violation of section 376 above referred to would be invalid.

EDW. B. RAUB.

On motion of Dr. Todd, seconded by Mr. Bartholomew, the Common Council recessed at 8:07 o'clock p. m.

At 8:20 o'clock p. m. the Common Council reconvened with the same members present as before.

On motion of Mr. Dorsett, seconded by Dr. Todd, the Common Council adjourned at 8:23 o'clock p. m.

*Raynton J. Moore*

President.

Attest:

*William A. Boyce Jr.*

City Clerk.

## SPECIAL MEETING

Monday, December 13, 1926, 8:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, December 13, 1926, at 8:30 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

*To the Members of the Common Council, Indianapolis, Indiana:*

Gentlemen—You are hereby notified that there will be special meeting of the Common Council held in the Council Chamber on December 13, 1926 at 8:30 p. m., the purpose of such special meeting being to receive communications from the Mayor or City Comptroller of said City and for the introductions of General Ordinance No. 116, transfer of \$8,000 to Assessment Bureau, General Ordinance No. 117, transfer of \$237,08 to City Engineer Department, General Ordinance No. 118, Traffic Code, and the consideration of General Ordinance No. 108 on second reading and passage.

Respectfully,

BOYNTON J. MOORE,  
President, Common Council.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of such special meeting, pursuant to the rules.

In Witness Whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

WILLIAM J. BOYCE, JR.,  
City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and eight members, viz.: Claude E. Negley, Edward B. Raub, Robert E. Springsteen, O. Ray Albertson, Walter R. Dorsett, Millard W. Ferguson, Otis E. Bartholomew and Austin H. Todd.

The reading of the journal was dispensed with on motion of Mr. Dorsett, seconded by Mr. Bartholomew.

## COMMUNICATIONS FROM THE MAYOR

December 7, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 90, 1926.

AN ORDINANCE, transferring the sum of Two Hundred Ninety-eight Dollars (\$298.00) from the Department of Public Safety Building Department Fund No. 24, Printing other than Office, and reappropriating as follows: Twenty-two Dollars (\$22.00) to Fund No. 21 Building Department in the Department of Public Safety and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 92, 1926, an ordinance, transferring and reappropriating certain Funds under the Department of Public Safety and declaring a time when the same shall take effect.

GENERAL ORDINANCE, No. 109, 1926, an ordinance, transferring the sum of One Hundred Fifty (\$150.00) Dollars in the Department of City Clerk from Fund No. 24, "Printing," and reappropriating the same to the Department of City Clerk Fund No. 36, "Office Supplies," and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 110, 1926, an ordinance, transferring and reappropriating certain Funds under the Department of Public Safety and declaring a time when the same shall take effect.

GENERAL ORDINANCE, No. 112, 1926, an ordinance, transferring the sum of Two Hundred (\$200.00) Dollars from Fund No. 36, Office Supplies, City Controllers Office, and reappropriating the same to Fund No. 24, Printing and Advertising, City Controllers Office, and fixing a time when the same shall take effect.

Yours very truly,

JOHN L. DUVALL,

Mayor.

December 7, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 113, 1926.

AN ORDINANCE, transferring the sum of Eighteen Hundred Dollars (\$1800.00) from Fund No. 11, 'Salaries and Wages in the City Plan Department': creating a fund to be known as Fund No. 21 'Communication and Transportation City Plan Department:' and reappropriating the said sum thereto and fixing a time when the same shall take effect.

AN ORDINANCE, transferring the sum of Fifty (\$50.00) Dollars from Fund No. 36, Office Supplies, Mayor's Office, and reappropriating the same to Fund No. 21, Communication and Transportation, Mayor's Office, and fixing a time when the same shall take effect.

AN ORDINANCE, transferring the sum of Nine Hundred Fifty (\$950.00) Dollars from Fund No. 12, Laborers, Street Cleaning De-

partment, under the Board of Public Works and reappropriating the same to Fund No. 12, Carpenter Department under the Board of Public Works, and fixing a time when the same shall take effect.

Yours very truly,

JOHN L. DUVALL,

Mayor.

## REPORTS FROM CITY OFFICERS

December 13, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—Attached please find copies of a General Ordinance transferring the sum of Eight Thousand (\$8,000.00) Dollars from Fund No. 61, 'Interest on Bonded Debt, in the Controller's Office,' and reappropriating the same to Fund No. 72, 'Equipment Assessment Bureau, Department of Board of Public Works.'

The Assessment Bureau, you no doubt know, is where all of the Assessment Rolls are prepared for all City improvements and is one of the most important Departments in the administration. The system of record keeping that we are using at the present time is very obsolete and is such that the records are very easily misplaced or lost and therefore, it is costing the City several thousand dollars a year through errors.

The Brooks System of Record keeping that we intend to install in this Department is highly recommended by the State Board of Accounts and will no doubt pay for itself in a short time.

The condition of the present records is in such a bad state of affairs, now, that it is necessary that we take immediate steps to improve them and I therefore, respectfully request that you take immediate action on the attached Transfer Ordinance and pass same without any delay.

Respectfully submitted,

W. C. BUSER,

City Controller.

December 13, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—Attached herewith find copies of a General Ordinance transferring the sum of Two Hundred Thirty-seven and 08-100 (\$237.08) Dollars from City Civil Engineer's Asphalt Repair Department, Account No. 11, and reappropriating the same to City Civil Engineer's Office Fund No. 11, 'Salaries and Wages Regular.'

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,

City Controller.

## REPORTS FROM COMMITTEES

Indianapolis, Ind., December 13, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*



Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 108, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman.  
A. H. TODD.  
OTIS E. BARTHOLOMEW.  
WALTER R. DORSETT.  
C. E. NEGLEY.

Indianapolis, Ind., December 13, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—We, your Committee on Public Safety to whom was referred General Ordinance No. 58, 1926, ie: Installation of Safety Gates at Railroad Crossings, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

C. E. NEGLEY, Chairman.  
M. W. FERGUSON.  
O. E. BARTHOLOMEW.  
A. H. TODD.  
W. R. DORSETT.

Indianapolis, Ind., December 13, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 97, 1926, entitled, Amend Building Code, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW, Chairman.  
A. H. TODD.  
EDWARD B. RAUB.  
ROBT. E. SPRINGSTEEN.

Indianapolis, Ind., December 13, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—We, your Committee on City Welfare to whom was referred General Ordinance No. 74, 1926, entitled Free Distribution of Dogs, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW, Chairman.  
A. H. TODD.  
EDWARD B. RAUB.  
ROBT. E. SPRINGSTEEN.

Indianapolis, Ind., December 13, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—We, your Committee on Special Committee to whom was referred General Ordinance No. 111, 1926, beg leave to

report that we have had said ordinance under consideration, and recommend that the same be passed.

M. W. FERGUSON, Chairman.  
W. R. DORSETT.  
EDWARD B. RAUB.  
C. E. NEGLEY.  
A. H. TODD.

## INTRODUCTION OF GENERAL ORDINANCES

By the City Comptroller:

### GENERAL ORDINANCE No. 116, 1926.

AN ORDINANCE transferring the sum of Eight Thousand (\$8,000) Dollars from Fund No. 61, "Interest on Bonded Debt in the Controller's Office," transferring the same to and reappropriating it to Fund No. 72, "Equipment Assessment Bureau, Department of Board of Public Works," and declaring when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and is hereby transferred the sum of Eight Thousand (\$8,000) Dollars from Fund No. 61, "Interest on Bonded Debt in the Controller's Office," and that the same be and is hereby transferred to and reappropriated to Fund No. 72, "Equipment Assessment Bureau of the Department of Board of Public Works," for the purpose of purchasing a complete set of the Brooks System of Records, and necessary filing cabinets in the Assessment Bureau, the value of which is in excess of the statutory limit of Two Thousand (\$2,000) Dollars, which is hereby in all things authorized and approved by the Common Council of the City of Indianapolis as required by law.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Comptroller:

### GENERAL ORDINANCE No. 117, 1926.

AN ORDINANCE transferring the sum of Two Hundred Thirty-Seven Dollars and Eight Cents (\$237.08) from the "Asphalt Repair Department Item 11, of the Department of City Civil Engineering" and reappropriating the same to "Office Fund Item 11 in the Department of City Civil Engineering" in the City of Indianapolis and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Two Hundred Thirty-Seven Dol-

lars and Eight Cents (\$237.08) be and the same is hereby transferred from the "Asphalt Repair Department Item 11 of the Department of City Civil Engineering" and that the same be and is hereby transferred and reappropriated to "Office Fund Item 11 in the Department of City Engineering."

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 118

##### TRAFFIC REGULATIONS

AN ORDINANCE, to regulate traffic in the streets, alleys, and public places of the City of Indianapolis, defining violations thereof, repealing all ordinances in conflict therewith, declaring a penalty and designating a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

That the following Traffic Code be adopted for the City of Indianapolis, Indiana:

Section 1. Definitions. (a) The term "Congested District" shall constitute all of that part of the City included within the limits of the north curb line of Michigan street on the north, the west curb line of Senate avenue on the west, the north curb line of South Street on the south and the east curb line of New Jersey street on the east.

(b) The term "Silent Policeman," within the meaning of this Ordinance, shall be deemed to mean some suitable device, post, standard or sign, placed within any street or public place by order of the Board of Public Safety, as a warning, or for the control or direction of traffic.

(c) The term "Parking" within the meaning of this Ordinance, shall be deemed to mean, placing, allowing, permitting or stopping of any vehicle within any street or public place for any purpose other than loading or unloading passengers, freight goods, wares or merchandise, providing such loading or unloading of passengers shall not exceed five (5) minutes and such loading or unloading of the freight goods, wares or merchandise shall not exceed one and one-half hours.

(d) The term "Vehicle" within the meaning of this Ordinance with reference to traffic shall be deemed to include equestrians, led horses, automobiles and every vehicle on wheels, except street cars or other vehicles running on fixed tracks.

(e) The term "Horses" within the meaning of this Ordinance with reference to traffic shall include all domestic animals. The term "Driver" within the meaning of this Ordinance, shall be deemed to mean any person driving, riding or operating any such vehicle.

(f) The term "Circle" within the meaning of this Ordinance

shall be deemed to mean that street encircling the Soldiers' and Sailors' Monument, namely "Monument Circle."

(g) The term "Slow Moving Vehicle" within the meaning of this Ordinance, shall be deemed to mean any vehicle traveling at a rate of speed not greater than ten (10) miles per hour.

Section 2. Rules of the Road. (a) Vehicles shall be driven in that part of the roadway to the right of the center, except one-way streets and alleys.

(b) In case any vehicle shall be operated at a distance of one hundred (100) feet or less, in front of another vehicle traveling in the same direction, such vehicle shall be operated within three (3) feet of the right hand curb of such street, unless passing an obstruction or other vehicle at or near such right hand curb, provided, however, that such vehicle passing such other vehicle or obstruction shall be operated within three (3) feet of any other vehicle or obstruction.

(c) Any vehicle overtaking another shall pass on the left side of the overtaking vehicle and not pull over to the right until entirely clear of such overtaking vehicle, but shall not pass at any street intersection.

(d) Any vehicle turning into another street on the left, where left hand turns are not herein prohibited, shall circle around the center of the street intersection.

(e) No vehicle shall make a complete turn upon any street within the congested district, except at street intersections. Provided, however, that no such turn shall be made at corners where left-hand turns are herein prohibited.

(f) No vehicle shall stop with its left side to the curb except in alleys and one-way streets.

(g) All vehicles, while loading or unloading goods, wares or merchandise, or other material, within the congested district between the hours of eight a. m. and seven p. m. must stand parallel with the curb.

(h) Any vehicle waiting at the curb and not loading or unloading, shall promptly give way to another vehicle desiring to load or unload goods, wares, merchandise or other material, and no vehicle shall be left standing in any alley within the congested district between the hours of ten o'clock a. m. and seven o'clock p. m. longer than is necessary for the purpose of loading or unloading goods, wares or merchandise and other materials.

(i) No vehicle shall back in any street if at the time of so backing, there is another vehicle approaching upon such street within a distance of fifty (50) feet thereof.

(j) Street cars and interurban cars and public busses shall stop on the near side of intersecting streets and not the far side, for the purpose of taking on or discharging passengers, provided however, that when in the opinion of the Board of Public Safety, a near side stop would tend to cause danger, inconvenience or discomfort to passengers or hindrance to traffic at a particular intersection, said Board of Public Safety may by an order made by such board, designate a far side stop at such intersection and upon notice of such order the street car company or interurban company, their agents and employes, shall comply with the same and shall mark in a man-



ner satisfactory to said Board, the location of such stopping.

(k) No vehicle shall be driven or moved so as to pass through, into or interfere with any civic, military or funeral procession except at the direction of a traffic officer or automatic signal.

Section 3. Right of way. (a) Fire Department vehicles, Police Department vehicles, Salvage Corps vehicles, Emergency Ambulances, both public and private, U. S. Mail vehicles and Emergency Repair vehicles of all public utility companies and funeral processions shall have the right-of-way over all traffic in any street or other public place and through any procession, provided however, that the Fire and Police Department vehicles shall have the right of way over every other kind of traffic whatsoever and provided, further, that the Fire Department shall have the right of way over Police Department vehicles, and all others shall have right-of-way in the order named.

(b) Traffic from the right shall have the right-of-way over traffic from the left, except as hereinafter provided.

(c) Traffic on Washington Street and all boulevards as established by the Common Council or the Department of Park Commissioners of such City, shall have the right-of-way over all traffic or other streets unless hereinafter otherwise provided.

(d) Traffic on Massachusetts, Indiana, Kentucky and Virginia Avenues, shall have the right-of-way over all traffic on other streets.

(e) On East New York Street, from Delaware Street to Emerson Avenue, east and west traffic shall have the right-of-way over the north and south traffic. On East Michigan Street from the Big Four Railroad tracks to Emerson Avenue, the east and west traffic shall have the right-of-way over the north and south traffic. On East Tenth Street from the Big Four Railroad track elevation to Emerson Avenue, the east and west traffic shall have the right-of-way over the north and south traffic. On West Michigan Street from White River, west to the city limits, east and west traffic shall have the right-of-way over the north and south traffic. On Oliver Avenue, from White River west to the City limits, the east and west traffic shall have the right-of-way over the north and south traffic. On Morris Street from Shelby Street west to Eagle Creek, the east and west traffic shall have the right-of-way over the north and south traffic; and all traffic in Harding Street at the intersection of Morris Street shall come to a complete stop before entering into or crossing Morris Street at the intersection of Morris and Harding Streets. On Capitol Avenue from Washington Street to Westfield Boulevard, the north and south traffic shall have the right-of-way over the east and west traffic. On Meridian Street from Troy Avenue to the canal the north and south traffic shall have the right-of-way over the east and west traffic. On Twenty-fifth Street from Delaware Street east to Sherman Drive east and west traffic shall have the right-of-way over the north and south traffic; On Thirtieth Street from the City limits west to city limits east the east and west traffic shall have the right of way over north and south traffic; On Emerson Avenue from city limits north to city limits south the north and south traffic shall have the right-of-way over east and west traffic.

(f) All vehicles, city and interurban cars and public busses

approaching any of the following named streets and avenues shall come to a complete stop before continuing into or across same:—North Capitol Avenue from Washington Street to Westfield Boulevard; Meridian Street from Troy Avenue to the Canal; East New York Street from Delaware Street to Dorman Street; Marlow Avenue from Dorman Street to Arsenal; East New York Street from Arsenal to Emerson Avenue; East Michigan Street from Big Four Railroad tracks to Emerson Avenue; Washington Street from city limits east to city limits west; Maple Road Boulevard from Northwestern Avenue to Fall Creek; Fall Creek Boulevard north; Washington Boulevard from Fall Creek to the Canal; Delaware Street from Washington Street north to Thirty-second Street; Burdsal Parkway from Northwestern Avenue to East Riverside Drive; Northwestern Avenue from Fifteenth Street to the city limits; Massachusetts Avenue from Ohio Street to the city limits; Kentucky Avenue from Washington Street to the city limits; Clifton Street from Roach Street to Thirty-sixth Street; Indiana Avenue from Ohio Street to Sixteenth Street; Sixteenth Street from Sugar Grove to White River Parkway; Virginia Avenue from Washington Street to Prospect Street; Madison Avenue from South Street to the city limits; Twenty-ninth Street from Capitol Avenue to East Riverside Drive; Pleasant Run Boulevard from Meridian Street east to Prospect Street; Morris Street from Madison Avenue to west city limits; Prospect Street from Fountain Square east to Keystone Avenue; Twenty-fifth Street from Delaware east to Sherman Drive; Thirtieth Street from city limits west to city limits east. The above named Streets and Avenues as set out in this sub section (f) are hereby declared to be preferential streets, for the purpose of regulating traffic upon or crossing over same.

(g) At street intersections where silent policemen are placed, vehicles entering such intersection shall not cross the center of such intersection streets, if at such time another vehicle is approaching from its right and about to cross its path, and is at a point within three (3) feet of such intersection. Such vehicle at the right unless herein otherwise provided, shall have the right-of-way over such other vehicle.

(h) The driver of any vehicle on the approach of any fire or police apparatus shall immediately drive said vehicle to the curb at the right hand of the driver and stop such vehicle until such apparatus is passed.

(i) No vehicle shall follow closer than three hundred (300) feet of any fire apparatus while the same is answering an alarm of fire, and shall not approach said fire apparatus, or park said vehicle within six hundred (600) feet of the same after said apparatus has arrived and stopped at the destination of a fire.

(j) Street cars, upon the approach of such fire or police apparatus shall be stopped immediately, if between a street intersection.

(k) The driver of any vehicle shall not enter any street intersection if police or fire apparatus is approaching such street intersection within a distance of three Hundred (300) feet.

Section 4. (a) Parking Parallel. All vehicles, whenever and wherever parked, shall be parked parallel to the curb, and with the outer edge of the tires thereof within six inches of the curb, and

with a clear space of three feet left ahead and behind the same except as hereinafter provided.

(b) Parking at an angle. At the outer curb of Monument Circle all parking of vehicles shall be at an angle of forty-five (45) degrees to the curb thereof.

Section 5. Parking. On all streets and avenues thirty feet or less in width from curb to curb, the parking of vehicles shall be restricted to one side of the street; or avenue; if the street runs north and south, parking shall be on the west side only; if the street runs east and west, parking shall be on the north side only, except as hereinafter provided.

Section 6. Parking prohibited. There shall be no parking at any time at the following places:

(1) The west side of Illinois Street between Washington and Court Streets;

(2) The east side of Illinois Street between Washington and Pearl Streets;

(3) The east side of Meridian Street between Washington and Pearl Streets;

(4) The west side of Pennsylvania Street between Washington and Court Streets;

(5) The South side of Thirtieth Street from Fall Creek to White River;

(6) The south side of Sixteenth Street from the Monon tracks to Senate Avenue;

(7) The south side of St. Clair Street from the Monon tracks to Senate Avenue;

(8) The south side of East Forty-second Street between College and Carrollton Avenue;

(9) The south side of East Forty-second Street from College to Broadway;

(10) The east side of Clifton Street between Roach and Thirty-fourth Streets;

(11) The south side of New York Street from Randolph Street to Emerson Avenue;

(12) The west side of Bird Street between Ohio and New York Streets;

(13) The south side of East Tenth Street from Massachusetts Avenue Railroad track elevation to Olney Street;

(14) The south side of Fourteenth Street between Illinois and Meridian Streets;

(15) The south side of Fourteenth Street between Meridian and Pennsylvania Streets;

(16) The south side of Forty-sixth Street from Illinois Street to College Avenue;

(17) The south side of West Tenth Street from Meridian Street to Indiana Avenue;

(18) The south side of Howard Street from Harding Street to Belmont Avenue;

(19) The south side of Nineteenth Street between Illinois and Meridian Streets;

(20) The south side of Nineteenth Street between Delaware and New Jersey Streets;

(21) The west side of Meridian Street from Bluff Avenue to the Belt Railroad;

(22) The south side of Seventeenth Street between Meridian and Pennsylvania Streets;

(23) The east side of Illinois Street between Washington Street and a point forty feet north of Washington Street;

(24) The south side of East New York Street from Oxford Street to Belt Railroad tracks;

(25) The west side of Hawthorn Lane from Washington to Lowell Avenue;

(26) The west side of Fort Wayne Avenue between Pennsylvania and St. Clair Streets;

(27) The west side of Station Street from Roosevelt Avenue to Twenty-fifth Street;

(28) The northeast side of Southeastern Avenue from Washington Street to Leota Street;

(29) The west side of Riverside Drive from Eighteenth Street to Nineteenth Street;

(30) The north side of Seventeenth Street from Park Avenue to Central Avenue;

(31) At the inner curb in Monument Circle;

(32) On the north side of Palmer Street from Shelby Street to Barth Avenue;

(33) In any street or alley in the congested district, where the width of the same is less than forty feet from curb to curb, except on the south side of Court Street between Delaware and Pennsylvania Streets, from 6:30 p. m. to 6:30 a. m.

(34) For a space of twenty-five feet immediately in front of the entrance of any church, hotel, theatre, motion picture house, steam railway station, bus station or interurban station, or other public meeting place; within a space of forty feet in front of the entrance of any hotel where such space is reserved to the hotel by special permit from the Board of Public Safety, within a distance of twenty-five feet of any roadway intersection; within ten feet of any city fire hydrant;

(35) On the south side of North Street from Cincinnati Street to Noble Street; on the south side of Walnut Street between Liberty and Noble Streets; on the west side of Liberty Street from North Street to Walnut Street; on the west side of Noble Street; from North Street to Walnut Street; between the hours of 6:00 o'clock a. m. and 6:00 o'clock p. m. of each day except Sunday;

(36) On the west side of Butler Avenue, between Washington Street and the Pennsylvania tracks;

(37) On the west side of Osage Street between Ohio and New York Streets;

(38) On the south side of Fortieth Street between Illinois Street and Boulevard Place;

(39) On the east side of Central Avenue from Fort Wayne Avenue to Eleventh Street and on the south side of Henry Street



between Illinois and Meridian Streets between 6:00 o'clock a. m. and 9:00 o'clock p. m.;

(40) On Oriental Street between Washington Street and the first alley north thereof and on the north side of Washington Street from Oriental Street east and west to points 150 feet distant therefrom;

(41) On any bridge or under any elevation within the congested district of the City;

(42) On the west side of Belmont Street from Washington Street to Oliver Avenue;

(43) Between the hours of seven o'clock p. m. and eight o'clock a. m. there shall be no limitations as to the duration of time in which vehicles shall be parked, where parking is prohibited, except that at no time, in any street, avenue or alley, shall any vehicle remain parked for a continuous period exceeding twelve hours.

(44) During any public parade, assembly or demonstrations upon the public streets or during any emergency, the police department and members thereof may prohibit parking upon any street, and any owner, driver or operator of any vehicle when called upon by a police officer at such times to remove the same, shall do so immediately and if such owner, driver or operator cannot be found, any member of the police force may order such car removed from its parking place to a public garage, and notify said owner, driver or operator thereof.

Section 7. Restricted Parking. The parking of vehicles between the hours of 8 a. m. and 7 p. m. in the streets, alleys and public places in the city of Indianapolis, is hereby restricted as follows: (A) To thirty minutes in the district bounded by the south curb line of Maryland Street on the south, the north curb line of New York Street on the north, the west curb line of Capitol Avenue on the west and the east curb line of Delaware Street on the east. (B) To one and one-half hours in the congested district outside of the district bounded in sub-section A above. (C) To twelve hours on all streets and avenues outside the congested district.

Section 8. Reserved Space. (a) The Board of Public Safety may by distinct lines or other signs mark off such parking spaces as they may deem necessary and proper in a manner that may be visible and easily seen, and said Board may mark off and reserve a space not exceeding forty feet in front of the entrance of any hotel for the use of such hotel. (b) The occupant of any premises may prevent any parking of vehicles upon any public street in front of such premises in the following manner: Such occupant shall deposit in the office of the City Controller the sum of ten (\$10.00) dollars, one-half of which shall immediately go into general fund of the city, for which deposit the City Controller shall give a receipt which when presented to the Chief of Police shall entitle such occupant to receive two (2) iron markers bearing the inscription "NO PARKING" or words of equivalent meaning, such markers to be known as "Silent Policemen." Such occupant upon returning to the Chief of Police said "Silent Policemen" shall receive a receipt therefor, which when presented to the City Controller shall entitle him to a refund of one-half of such deposit. Such occupant may place said "Silent Policemen" upon the edge of the sidewalk adja-

cent to the roadway in front of said premises, not to exceed eighteen (18) feet apart, and while they are so placed no vehicle shall be parked in the space included between them, provided, however, that if any vehicle is lawfully parked therein when said "Silent Policemen" are set out, such vehicle may remain parked therein until the expiration of the then remaining parking time allowed by this ordinance. A space not greater than eighteen (18) feet in length may be reserved in the following manner: Reservations of such space and the prohibiting of parking therein shall be made only when such space is required immediately by said occupants and between the hours of eight o'clock a. m. and seven o'clock p. m. and then only for the purpose of loading or unloading of passengers, goods, wares, merchandise or material, and such space shall be released immediately upon the termination of the necessity for such reservation thereof, and such "Silent Policemen" shall immediately be removed from view. Nothing contained in this paragraph shall authorize the reservation of space for the parking of any occupants' own vehicle or vehicles. When there are two or more occupants of any premises who use a common entrance thereto, only one space can be so reserved. Provided, however, that such occupants may by private arrangements among themselves make use in common of a single set of "Silent Policemen," but such space shall not be held in reserve for succeeding periods by reason of such common use. Provided, further, that in addition to the penalties hereinafter provided, any occupant or occupants of such premises found guilty of violating any of the provisions of this section shall be deprived of the further use of such "Silent Policemen," shall surrender the same to the Chief of Police, and the balance of the ten dollars deposited with the City Controller shall be forfeited and become a part of the General Fund of the city of Indianapolis, Indiana.

Occupants desiring more than eighteen (18) feet of space may obtain the same on special permit from the Board of Safety and by renting an additional marker for each additional eighteen (18) feet of space desired and for each additional marker shall make a further deposit of ten dollars each.

In addition to the deposit required for markers an annual rental of Fifty (\$50.00) Dollars shall be paid in advance to the City Controller for the markers for the first eighteen (18) feet and for a marker for each additional eighteen (18) feet they shall pay an annual rental of One Hundred (\$100) Dollars, provided that no more than seventy-two (72) feet shall be so reserved.

Section 9. Parking Permits. Whenever any hotel, having not less than two hundred guest rooms, or any social club or organization having not less than one thousand bona fide members, and which hotel, club, or organization shall be located within the congested district of the city, shall make a request in writing to the Board of Public Safety for special parking space on the street adjacent to such hotel, club or organization, the Board of Public Safety shall set apart not more than two such parking spaces for each hotel, club or organization making such request, which space shall be designated by such board with appropriate markers or standards, and shall be used exclusively for the purpose of parking of vehicles used for the transportation of passengers to and from such hotels, clubs or organizations. In no instance shall such parking space exceed twenty-four feet in length along the curb of such

streets. Such hotels, clubs or organizations shall pay to the City Controller a license fee annually of \$25.00 for the use of such standards or markers. Such parking spaces, when so marked off and set aside, shall be used for no other parking purposes than those enumerated in the next preceding section.

Such hotel, club, or organization may designate in writing to the Board of Public Safety from time to time for their respective places, the persons who shall use such parking spaces for such purpose on such adjacent streets. After such spaces have been properly marked off and designated as provided in this section and such hotel, club or organization shall have designated the persons who shall use said space, it shall thereafter be unlawful for any other person to use such parking space.

Section 10. Safety Zones. The Board of Public Safety may establish Safety Zones which shall be marked off and indicated by painted lines, standards, discs or unloading platforms and it shall be unlawful for the drivers of any vehicle to drive over or into any such Safety Zones, or any such painted lines, standards, discs or loading platforms at any time.

No vehicle shall remain stationary in that part of the street parallel to any such Safety Zone or within twenty (20) feet from the end thereof, except upon signal of the traffic officer directing the traffic at such places or to unload freight or passengers to business houses fronting on such Safety Zones, where there is no other means of access thereto.

Section 11. Right and Left Hand Turns. No vehicle shall be turned to the right or to the left for the purpose of entering into or upon another street at the intersection of Washington and Meridian Streets during the following named periods: From eleven-thirty (11:30) a. m. to two (2) o'clock p. m., and from four-thirty (4:30) p. m. to six (6) o'clock p. m.

Section 12. Left Hand Turns. (a) No vehicle shall be turned to its left for the purpose of turning around in any street or for turning into another street at any of the following corners, within such city during the hours any traffic policeman is on duty at such corners. Washington Street and Illinois Street; Washington Street and Pennsylvania Street; Ohio Street and Pennsylvania Street, and Ohio Street and Illinois Street.

(b) At all other street intersections within the Congested District, not named in this section or the preceding section, where traffic officers are on duty, right or left-hand turns may be made when in the judgment of the traffic officer, the condition of traffic will permit.

(c) All vehicles entering the Circle shall turn to the right and all traffic therein shall proceed in one direction, namely counter clockwise, as from south to northeast, from east to northwest, from north to southwest and from west to southeast.

Section 13. Movement of Traffic. (a). On Massachusetts Avenue at Ohio Street, vehicles shall move west with the west bound traffic.

(b). On Indiana Avenue at Illinois Street, vehicles shall move south with the south bound traffic.



(c). On Virginia Avenue at Pennsylvania Street, vehicles shall move north with the north bound traffic.

(d). On Kentucky Avenue at Washington Street, vehicles shall move east with the east bound traffic.

(e). On Massachusetts Avenue, Indiana Avenue, Kentucky Avenue and Virginia Avenue, except as otherwise herein provided, all vehicles shall be governed as to the direction they move at crossings, by the signals of police officers and the indication of three-way semaphores.

Section 14. One-Way Streets. (a) In the Congested District in Wabash, Court, Pearl, Muskingum and Chesapeake Streets and in McCrea between Georgia and Louisiana Streets and in Louisiana Street between McCrea and Meridian Streets, all vehicles shall move in one direction only; entering from the north and proceeding south; and entering from the east and proceeding west.

(b) In Court Street from New Jersey Street to West Street and in Pearl Street from New Jersey Street to Alabama Street, traffic shall enter from the east and move west only.

(c) In all alleys running north and south in the Congested District, vehicles shall enter from the north and proceed to the south. In all alleys running east and west in the congested District, vehicles shall enter from the east and proceed to the west, and all traffic shall turn to the right when entering or leaving the alleys in such Congested District.

(d) The following named streets are hereby declared to be one-way streets from the hours of eight a. m. to seven p. m., between the points hereinafter designated: Bird Street, northbound traffic only from Ohio to New York Street; Hudson Street, northbound traffic only from New York Street to Ohio Street; Chesapeake Street, west bound traffic only from Delaware Street to Capitol Avenue.

Section 15. Loading and Unloading Passengers. Taxicabs, busses and other vehicles except street cars must load or unload passengers at a point in the street at the curbing, except where busses run along streets having street car lines within the congested district under which conditions said busses shall use the street car tracks and load and unload passengers at the safety zones.

Section 16. Officers' Signals. Traffic Officers stationed at street intersections shall direct the movements of all vehicles within such street intersections by the use of a semaphore or other signals. In case such signal consists of a whistle, such officer shall give one blast of the whistle which will indicate that traffic shall move north and south; two blasts of such whistle, which shall indicate that traffic shall move east and west at any intersection where Massachusetts, Indiana, Kentucky or Virginia Avenues intersect, such traffic shall move in case of such signal by three blasts of the whistle, unless otherwise herein provided. A series of short blasts of such whistle shall indicate danger. Traffic shall move in only one direction, and when indicated by such signal, or by signal displayed by such semaphore and operated by traffic or other police officers, indicating the direction to which traffic is to move. These provisions shall govern the movement of all vehicles and all city and interurban cars. These provisions shall also apply to automatic traffic signals wherever the same are in operation.



Section 17. Signals. (a). All drivers and pedestrians must at all times comply with any direction given by the voice, hand or other means, by any member of the police or fire force, as to stopping, starting, approaching or departing from any place, the manner of taking up and setting down passengers or loading or unloading goods.

(b) All drivers of vehicles before crossing any sidewalk into or out of driveways or alleys shall give warning to pedestrians using the same, of their intentions so to do by sounding the horn or by some other distinct manner.

Section 18. Pedestrians. (a) All pedestrians crossing the street intersections in the Congested District shall cross at right angle, and shall not cross diagonally at such intersections. Such pedestrians shall cross only on the signal of the traffic officer or "Silent Policeman," if one is stationed at such crossing, and shall move only in the direction of the traffic.

Section 19. Taxicab and Bus Stands. No taxicab shall park at any place within the Congested District except within the following places:

(a) For a continuous space of one hundred and fifty (150) feet on Kentucky Avenue, from the corner of Illinois Street and Kentucky Avenue, on the south east side of said Kentucky Avenue.

(b) For a continuous space of one hundred and fifty (150) feet on the east end of Market Street between Illinois Street and Capitol Avenue on the north side thereof.

(c) On the east side of South Illinois Street beginning at a point ten (10) feet south of the south curb line of Jackson Place and extending south a distance of one hundred (100) feet.

(d) For a continuous space of fifty (50) feet west of the west curb line of Illinois Street on the north side of Washington Street.

(e) On the North Side of Washington Street beginning at a point 28 feet west of the west line of Scioto Street and continuing thence west 36 feet.

(f) Between the hours of eight o'clock a. m. and seven o'clock p. m., no vehicles except taxicabs shall park in or on any of the aforesaid spaces reserved for taxicabs.

Section 20. Delivery Vehicles. (a) On all streets, alleys and public places commercial delivery and slow moving vehicles, shall be operated within three (3) feet of the right hand curb of such street, unless prevented from doing so by another vehicle at or near such curb.

(b) No commercial delivery vehicle shall be operated within the Congested District on Washington, Market, Ohio, Pennsylvania, Meridian or Illinois Streets, except to haul loads over said streets to be delivered within such Congested District, or to haul any load from a point within such Congested District or to some other point inside or outside of such Congested District, provided, however, that in any such case, such vehicle shall be driven over the shortest route within such Congested District. No commercial vehicle or vehicle used for heavy hauling shall be operated on Meridian Street between Sixteenth Street and Fall Creek Boulevard except where

the same is necessary and unavoidable in delivering goods or materials to and from points within such territory, provided, however, that in any such cases, such vehicle shall be driven over the shortest route necessary within such territory.

Section 21. Regulations of Vehicles. (a) No vehicle shall be driven upon any street so loaded or constructed as to prevent the driver thereof from having a clear view of the traffic on both sides of each vehicle.

(b) No vehicle shall be operated in or upon any such street or other public places, if either such vehicle or its load or the contents thereof make a lot of unusual noise. All vehicles shall be constructed or loaded in a manner to prevent the contents from being scattered upon or over the street.

(c) No vehicle shall be driven or maintained upon the streets or public places of such city, containing any material or load projecting a distance of more than five (5) feet from the rear end of such vehicle, unless the same shall be provided with a signal as herein provided. From the hours of thirty (30) minutes after sunset to thirty (30) minutes before sunrise such vehicle shall have attached to the rear end of such load, a red light of sufficient rays to be visible a distance of two hundred (200) feet, and if in the daytime such signal shall be a red flag in place of such red light.

(d) All horse-drawn vehicles and human-propelled, including bicycles, shall maintain a lighted light of white rays on the front and red light on the rear thereof, both of which shall be visible for a distance of one hundred (100) feet, while such vehicle is in or upon any street, alley or other public place in such city during the period of from one-half ( $\frac{1}{2}$ ) hour after sunset until one-half ( $\frac{1}{2}$ ) hour before sunrise.

Section 22. Towing Vehicles. No vehicle shall tow another in or upon any street or public place unless such vehicles are operated at a distance of less than fifteen (15) feet apart. If such vehicle being towed at any time between one-half ( $\frac{1}{2}$ ) hour after sunset, and one-half ( $\frac{1}{2}$ ) hour before sunrise, such vehicle being towed shall maintain lights on both sides and the rear thereof, visible in the rear and on both sides for a distance of at least two hundred (200) feet.

Section 23. Trailers. (a) Not more than one vehicle with or without motive power, commonly called a trailer, may be attached to another vehicle having motive power.

(b) No trailer shall be attached to any vehicle in such manner as to leave more space than five (5) feet between the rear line of the body of the front vehicle and the front of the body of such trailer.

(c) Every vehicle used as a trailer shall be subject to all the provisions of ordinances relating to license and lights for the vehicle to which it is attached.

(d) Provided however, that this section shall not apply to any vehicle or trailer operated by the City of Indianapolis, except as to the provisions for lights.

Section 24. Age of Driver. No person under fourteen (14) years of age shall be permitted to drive any horse-drawn vehicle.

Section 25. Permitting Child to Drive. It shall be unlawful

for the owner of any motor vehicle or motor bicycle or other person, to permit the same to be driven by any person under sixteen (16) years of age, and it shall be unlawful for the owner of any horse-drawn vehicle or other person to permit the same to be driven by any person under the age of fourteen (14) years.

Section 26. Hanging on Vehicles. No one shall ride upon, hold to or hang upon any vehicle in such manner, that his body or any part of it, shall protrude beyond the limits of the vehicle.

Section 27. Use of Red Light. (a) No vehicles excepting those of the Fire Force, Police Force, Emergency Ambulances and Salvage Corps, shall use red light, as flash lights or spot lights on the front of said vehicle.

Section 28. Quiet Zone. (a) There is hereby created and established a "Zone of Quiet," in all territory embraced in a distance of two hundred and fifty (250) feet from the premises of each hospital in such city. The Board of Public Safety may place at some conspicuous place in said street, within such radius of two hundred and fifty (250) feet, a sign or placard containing the following words, "ZONE OF QUIET." No person or vehicle shall make any loud or unusual noise, sound or music within or upon any streets, alleys, or public places within any such "Quiet Zones," and the making of the same is hereby declared to be a nuisance.

(b) The use of any automobile horn for any purpose other than as a warning of the approach or as a danger signal is hereby declared to be a nuisance.

(c) No siren, whistle, gong, horn or device, such as are used by the Fire Department Vehicles, Police Department Vehicles, Salvage Corps Vehicles, Emergency Ambulances, both public and private, U. S. Mail Vehicles, and the Emergency Repair vehicles of public utility companies, shall be used on bicycles, motor bicycles, automobiles, motor trucks, or other vehicles not herein mentioned and such use thereof is declared to be a nuisance.

Section 29. Street Cars. (a) Street Cars shall have the right-of-way over all other traffic except as herein otherwise provided, between cross streets. In case any vehicle or person shall be in or upon any track over which an approaching street car is traveling, the operator of such street car shall signal the driver of such vehicle, and upon such signal it shall be the duty as soon as practicable for such driver of such vehicle or such pedestrian to turn out of such track.

(b) The operator of any street car when the same is exceeding the rate of speed of ten (10) miles per hour, shall not operate the same except at a distance of more than two hundred (200) feet from any other street car on the same track, and when such street car is being operated at a speed not exceeding ten (10) miles per hour, or when such street car is stopped during blockades or otherwise a clear space of not less than ten (10) feet shall be kept between such street car and any other street car on the same track, provided however, that this provision shall not apply in case of two or more street cars or trailers attached together, or about to be attached together for the purpose of being operated while connected with each other.

(c) City street cars and interurban cars shall not be operated



at any place within the city at a greater rate of speed than twenty-five (25) miles per hour, outside the Congested District, and not exceeding ten (10) miles per hour within the Congested District.

(d) All passengers must be loaded and unloaded in Safety Zones as marked by the Police Department.

Section 30. Front Seats. Not more than three persons, including the driver, shall ride in the front seat of an automobile.

Section 31. Moving. No person, firm or corporation shall move into or out of any building within the Congested District, the furnishings, equipment or personal property of any residence office or business place, in any moving van or vehicle, between the hours of 8. a. and 7 p. m. without first procuring a permit to do so from the traffic department of the Indianapolis Police Department. This section is not intended to apply to the delivery of merchandise.

Section 32. Busses. Busses shall stop parallel to the curb on the near side of the crossing only, outside the congested district, except as otherwise provided herein. Inside the congested district, the traffic department of the Indianapolis Police Department may establish and designate safety zones, in addition to those enumerated herein, where busses may load and unload passengers.

Section 33. Reporting at Traffic Office. Notice. Whenever a member of the Police Force shall find that any of the provisions of this ordinance, relating to Traffic Regulations, are being violated by the owner or operator of any vehicle such officer shall notify such owner or operator in writing of such violation and for him to report at the Traffic Office within seventy-two hours. Such notice shall be made in duplicate and shall show the specific violation, the State License number of such vehicle and the owner's name, if possible to obtain the same, and shall be signed by such police officer giving his badge number. One copy of such notice shall be presented to the owner of such vehicle or his representative when found in charge of such vehicle, and in case such owner or his representative be not found in possession or in charge thereof, the posting of such notice in a conspicuous place upon the vehicle shall be deemed sufficient notice of such violation. It shall be the duty of such police officer to make a report to the Traffic Office of the service of such notice which report shall give the nature of the violation, the State License number of the vehicle and the name of the owner upon whom such notice was served, if possible to obtain it. The owner or operator of such vehicle who has been notified of a violation of the Traffic Regulations as herein provided shall, within seventy-two hours after having been notified, present himself, together with the notice, at the Traffic Office at Police Headquarters, and for the first violation of any traffic regulation as herein provided shall pay to the City Clerk a fee of two dollars (\$2.00); for the second violation a fee of three dollars (\$3.00); and for each subsequent violation, a fee of five dollars (\$5.00).

Section 34. Receipt for Fees, Accounting. Upon the payment of the fee provided in the next preceding section the City Clerk shall issue a receipt to the owner of such vehicle, or his representative, and it is hereby made the duty of said Clerk to keep a correct record, showing the amount so paid, the date thereof, the number of the State License, and the name of the owner, and shall designate the violation for which such fee is paid, and whether or not such viola-



tion is the first, second, or a subsequent violation by such owner, And it is made the duty of such clerk to account for all fees assessed and collected by him under the provisions of this and the next preceding section and to pay the same into the City Treasury once each month.

Section 35. Failure to Report. Whenever any person who has been notified to appear as provided in the next preceding two sections of this ordinance shall fail or refuse to present himself at the Traffic Office within seventy-two hours after service of such notice, or shall fail to pay the fee provided for his offense, it is hereby made the duty of the officer serving such notice to file, or cause to be filed, in the proper court, an affidavit charging such person with the violation specified in the notice, and to assist in the prosecution of such charge.

Section 36. No pedestrian, and no driver of any vehicle, or bus or street car or interurban car, shall cross the track of any railroad or interurban car at any street intersection in this city if danger is indicated by any signal at said crossing, including flash light signals, wig-wag signals, crossing alarm bells, the lowering of crossing gates, or the hand or flag signal of any ground flagman or watchman stationed at any such crossing within the corporate limits of the city of Indianapolis.

Section 37. Penalty. It is hereby made the duty of every person, firm or corporation, operating any vehicle within such city, or causing or permitting the use or operation of any such vehicle to comply with the provisions of this ordinance with reference to traffic. Any person violating any of the above provisions of the next preceding thirty-six sections, shall, on conviction be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred and eighty (180) days.

Section 38. All Ordinances and parts of ordinances in conflict with any or all of the provisions of this ordinance are hereby repealed and declared null and void.

Section 39. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Which was read a first time and referred to the Committee on City Welfare.

#### CALL FOR ORDINANCES ON SECOND READING \*

Mr. Albertson called for General Ordinance No. 108 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 108 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 108 was read a third time and passed by unanimous vote.

Mr. Albertson moved that the rules be suspended for the passage of General Ordinance No. 116.

Mr. Bartholomew seconded the above motion, which passed unanimously.

Mr. Albertson called for General Ordinance No. 116 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 116 was ordered engrossed, read a third time and place upon its passage.

General Ordinance No. 116 was read a third time and passed by unanimous vote.

On motion of Mr. Albertson, seconded by Mr. Raub, the Common Council of the City of Indianapolis, Indiana, adjourned at 8:45 o'clock p. m.

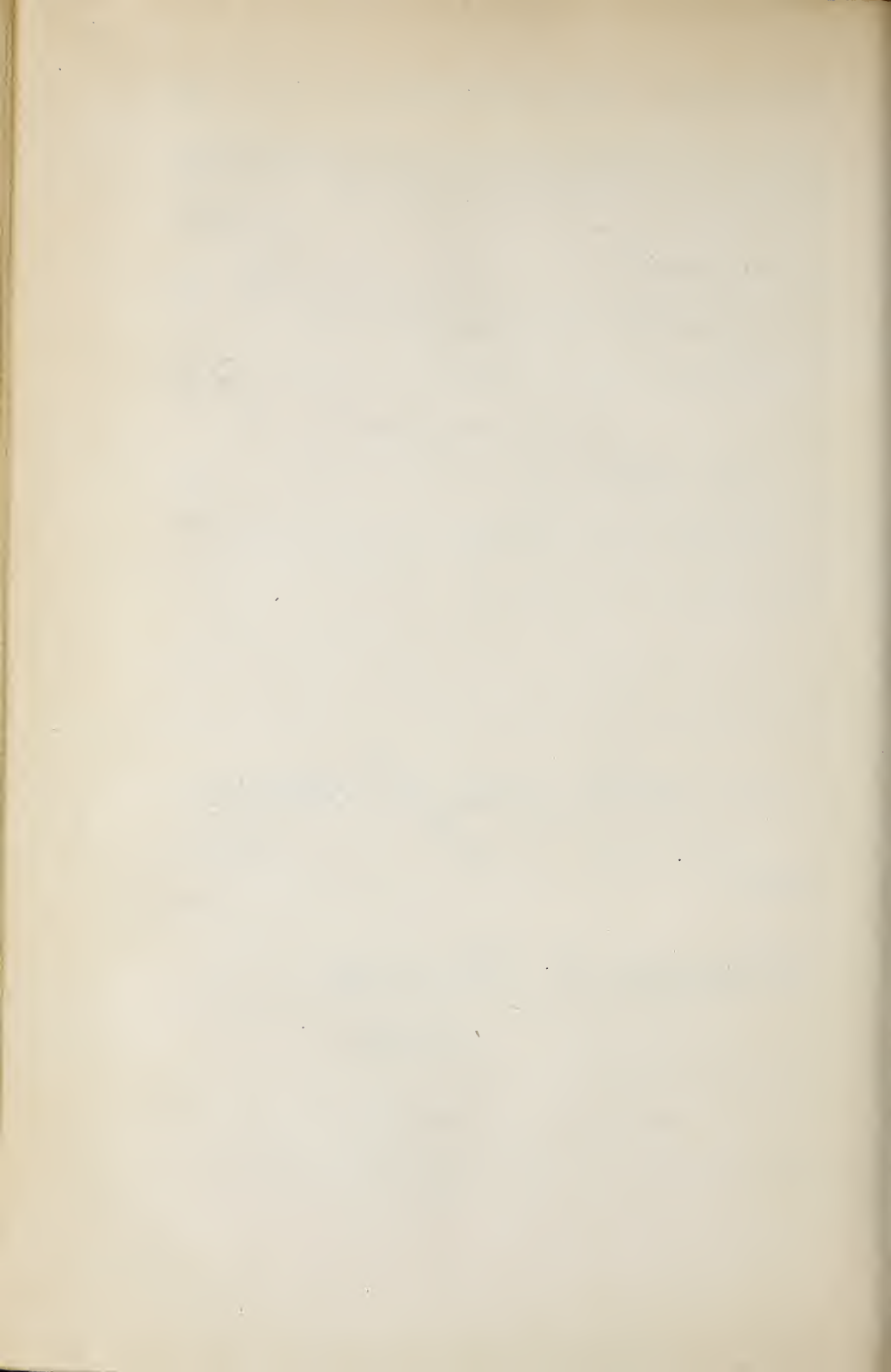
*Baynton J. Moore*

President.

Attest:

*William A. Boyce, Jr.*

City Clerk.



## REGULAR MEETING

December 20, 1926, 7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, December 20, 1926, at 7:30 p. m., in regular session. President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and eight members, viz.: Claude E. Negley, Edward B. Raub, O. Ray Albertson, Robert E. Springsteen, Walter R. Dorsett, Millard W. Ferguson, Otis E. Bartholomew and Austin H. Todd.

The reading of the journal was dispensed with on motion of Mr. Dorsett, seconded by Mr. Bartholomew.

## COMMUNICATIONS FROM THE MAYOR

December 14, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—I have today approved with my signature and delivered to Wm. A. Boyce, Jr., City Clerk, General Ordinance No. 108, 1926.

AN ORDINANCE, providing for and authorizing the City Controller for and on behalf of the City of Indianapolis to borrow the sum of Sixty Thousand (\$60,000) Dollars payable from the general revenues and funds of said City, or from the sinking fund of said city or as may be required by law for the purpose of procuring money to be used in reconstructing and repairing a bridge where College Avenue in the City of Indianapolis, Indiana, extends and crosses Fall Creek in said City, and providing for a time and manner of advertising the sale of said bonds and the receipt of bids for the same, together with the mode and terms of sale, and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE No. 116, 1926. An Ordinance, transferring the sum of Eight Thousand (\$8,000) Dollars from Fund No. 61, 'Interest on Bonded Debt in the Controller's Office,' transferring the same to and reappropriating it to Fund No. 72, 'Equipment Assessment Bureau, Department of Board of Public Works,' and declaring when the same shall take effect.

Yours truly,

JOHN L. DUVAL,  
Mayor.



## REPORTS FROM CITY OFFICERS

December 15, 1926.

*Mr. William Boyce, Jr., City Clerk, and Members of the Common Council, Indianapolis, Indiana:*

Dear Sir—You will find enclosed herewith General Ordinance No. -----, 1926, (original and twelve copies) for the sale of certain real estate by the Board of Park Commissioners of the Department of Public Parks of the City of Indianapolis, which real estate is no longer needed for park purposes.

Yours truly,

TELFORD B. ORBISON,  
Attorney for the  
Board of Park Commissioners.

December 20, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—I have been requested by the Corporation Counsel to present to you an ordinance appropriating Fifteen Thousand (\$15,000.00) Dollars to be used in the present merger contest for the purpose of hiring additional attorneys, engineers and etc.

I am therefore submitting this ordinance to you with the following explanation.

I am in hearty accord with this idea of employing additional attorneys, engineers and etc., for the purpose of obtaining evidence in the contest between the City and the present merger of several light and heat companies.

The Budget next year, however, has been passed and the tax levy has been approved and set, and I am at a loss to see where the \$15,000.00 that this ordinance appropriates, or any other amount of money, can be obtained. The Budget law is very specific and the statutes which control the duties of the City Controller are such that he is held accountable for any sum of money spent that is not properly appropriated.

As we do not have any unappropriated or emergency funds I am at a loss to know just where any additional sum of money could be obtained to meet this additional appropriation. However, if the Common Council of the City of Indianapolis can see some way or means of raising any additional funds, other than what has already been set out in the tax levy or estimate in licenses, fees, fines and etc., as specified in the Budget, just passed, it might be possible to take care of this emergency.

Assuring you that I am in accord with this idea of the City taking a very active part in fighting this merger, I am,

Very truly yours,

W. C. BUSER,  
City Controller.

December 20, 1926.

Hon. John Duvall,  
Mayor of Indianapolis,  
Indianapolis, Indiana.

My Dear Sir:

Because of our experience with women police and because of

the resulting appreciation of their unique value to the city, we deeply deplore any failure to retain them. We feel that releasing them would be a calamity indeed.

We hope you, too, realize that women can work with and really help girls more understandingly than can men. We hope you, too, feel the urgency of the need.

We beg of you to use every proper means to retain these valuable public servants.

Respectfully submitted,

MRS. WILL ADAMS.  
MRS. NICHOLAS LONG.  
MRS. KATE WILLIAMS.  
MRS. MAURICE J. MOORE.  
MRS. F. D. LEETE.  
MRS. SAMUEL ASHBY.  
MRS. WALTER SCHULMEYER.  
MRS. R. L. BROKENBURR.  
MRS. ANNA K. STAFFORD.  
MRS. C. H. WINDEN.  
MRS. FRANK W. WOOD.  
MRS. J. B. McCOY.  
MRS. W. L. STEEG.

Board of Directors of the Y. W. C. A.  
MRS. BRANDT C. DOWNEY,  
President of Board.

#### REPORTS FROM STANDING COMMITTEES.

Indianapolis, Ind., Dec. 20, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance to whom was referred General Ordinance No. 111, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman.  
C. E. NEGLEY.  
WALTER R. DORSETT.  
OTIS E. BARTHOLOMEW.  
A. H. TODD.

Indianapolis, Ind., Dec. 20, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Works to whom was referred Resolution No. 14, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WALTER R. DOSETT, Chairman.  
A. H. TODD.  
OTIS E. BARTHOLOMEW.  
O. RAY ALBERTSON.

Indianapolis, Ind., Dec. 20, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Works to whom was referred Special Ordinance No. 7, 1926, entitled authorizing sale of junk, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

WALTER R. DORSETT, Chairman.  
OTIS E. BARTHOLOMEW.  
A. H. TODD.  
O. RAY ALBERTSON.

Indianapolis, Ind., Dec. 20, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare, to whom was referred Special Ordinance No. 6, 1926, entitled, Sale of Houses, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW, Chairman.  
A. H. TODD.  
C. E. NEGLEY.  
O. RAY ALBERTSON.  
WALTER R. DORSETT.

Indianapolis, Ind., Dec. 20, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare, to whom was referred General Ordinance No. 102, 1926, entitled, Amend General Ordinance No. 121, 1925, Adding new sections, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from files.

OTIS E. BARTHOLOMEW, Chairman.  
A. H. TODD.  
ROBT. E. SPRINGSTEEN.  
EDWARD B. RAUB.

Indianapolis, Ind., Dec. 20, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on City Welfare, to whom was referred General Ordinance No. 97, 1926, entitled, Amend building code (Fees for electrical inspection), beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

OTIS E. BARTHOLOMEW, Chairman.  
A. H. TODD.  
ROBT. E. SPRINGSTEEN.  
EDWARD B. RAUB.

Indianapolis, Ind., Dec. 20, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Welfare, to whom was referred General Ordinance No. 118, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passeed.

O. E. BARTHOLOMEW, Chairman.

A. H. TODD.

WALTER R. DORSETT.

C. E. NEGLEY.

## INTRODUCTION OF GENERAL ORDINANCES

By the Park Board:

### GENERAL ORDINANCE No. 119, 1926

AN ORDINANCE, authorizing the sale, alienation, and conveyance of real estate by the Board of Park Commissioners of the Department of Public Parks, of the City of Indianapolis, and fixing a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the Board of Park Commissioners is hereby authorized to sell, alienate, and convey, for cash, at public or private sale, for not less than the appraised value, which value is to be hereinafter determined by appraisers appointed by the Judge of the Circuit Court of Marion County, Indiana, as required by law, of the following described real estate in Indianapolis, Marion County, Indiana, to-wit:

LAND NEAR OHIO AND MOUNT STREETS—The North one-half ( $\frac{1}{2}$ ) of Lot No. 5, and all of Lots Nos. 6 to 19, inclusive, Manature Park Addition to the City of Indianapolis, Indiana, as recorded in Plat Book No. 17, Page 134, in the Recorder's Office of Marion County, State of Indiana.

Also that part of Trotter Avenue, being twelve (12) feet off of the east side thereof, now vacated, lying west of, and adjacent to, the above described lots.

LAND NEAR ALVORD AND TWENTY-SECOND STREETS—Lots Nos. 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27, all in Hanson's Subdivision of Block No. 8 in Bruce Baker's Addition to the City of Indianapolis, Marion County, Indiana, as recorded in Plat Book No. 10, Page 125, in the Recorder's Office of Marion County.

LAND NEAR BROOKVILLE ROAD AND PEARL STREET (Known as Shank Playground)—A part of the Northeast quarter of Section 8, and a part of the southeast quarter of Section 5, Township 15 North, Range 4, East, Marion County, State of Indiana, more particularly described as follows:

Beginning at a point in the north line of Section 8, Township 15 North, Range 4 East, Marion County, Indiana, a distance of 444.4 feet west of the northeast corner thereof; thence north parallel to the east line of Section 5, Township 15 North, Range 4 East,



a distance of 10 feet, to a point in the north line of Moore Avenue, now vacated; thence west parallel to the south line of the aforesaid Section 5, and along the north line of Moore Avenue, now vacated, a distance of 166.67 feet to a point  $47\frac{1}{2}$  feet eastwardly, measured at right angles from the center line of Brookville Boulevard as now located and established, said point being also 23.33 feet east of the southwest corner of Lot to and  $47\frac{1}{2}$  feet distance at right angles from the center line of the aforesaid Brookville Boulevard to a point in the center of the old Brookville Road (now vacated), a distance of 176.5 feet south of the north line of Section 8 in the aforesaid Township and Range; thence north parallel to the east line of the aforesaid Section 8, a distance of 161.5 feet to a point 15 feet south of the north line of the aforesaid Section 8; thence east parallel to the north line of the aforesaid Section 8, a distance of 20.85 feet to a point; thence north parallel to the east line of the aforesaid Section 8, a distance of 15 feet to place of beginning, containing .45 (Forty-five hundredths) acres, more or less.

Also all of Lots Nos. 19, 20, 21, 22 and 23 of Jacob Wagner's Subdivision to the City of Indianapolis, as recorded in Plat Book No. 9, Page 43, in the Recorder's Office of Marion County, State of Indiana; also all of Lots 14, 15, 16, 17 and 18 in the aforesaid Wagner's Subdivision, except 23.33 feet, measured along the lot lines, off of the west end thereof.

**LAND KNOWN AS KING AVENUE PLAYGROUND**—Part of Lots Nos. 4 and 5 of the Holmes West End Addition to the City of Indianapolis and of vacated street and alleys, more particularly described as follows:

Beginning at a point in the south line of Michigan Street, 55 feet east of the east line of King Avenue, now vacated, in the Holmes West End Addition to the City of Indianapolis, Marion County, State of Indiana, as recorded in Plat Book No. 7, Page 43, in the Recorder's Office of Marion County, State of Indiana: thence east along the south line of Michigan Street, a distance of 657 feet to the west line of Tremont Avenue; thence south a distance of 155 feet to a point; thence west, parallel to the south line of Michigan Street a distance of 657 feet to a point 55 feet east of the east line of King Avenue; thence north parallel to the east line of King Avenue a distance of 155 feet to place of beginning.

**LAND NEAR KETCHAM AND TENTH STREETS**—Lots 45, 46, 47, 48, 49, 50, 51, 52, 53, 80, 81, 82, 83, 84, 85, 86, 87 and 88 in Concord Heights Subdivision to the City of Indianapolis, Indiana, as Recorded in Plat Book No. 18, Page 142, in the Recorder's Office of Marion County, State of Indiana.

**LAND NEAR TENTH STREET AND KING AVENUE**—A portion of the southwest quarter of the southeast quarter of Section 33, Township 16 North, Range 3 East, Marion County, State of Indiana, more particularly described as follows:

Beginning at a point on the south line of the west half of the southeast quarter of the aforesaid Section 33, a distance of 328 feet east of the southwest corner thereof; thence north 145 feet; thence east 80 feet; thence south 145 feet; thence west 80 feet to place of beginning.

Also all of Lots 61, 62, 63 64, 65, 66 and 26 feet off of the South side of Lots 67 and 60, in Ferndale Addition to the City of Indianapolis, State of Indiana, as recorded in Plat Book No. 14, Page 78, in the Recorder's Office in Marion County, State of Indiana.

Also all that part of a 15 foot alley, now vacated, lying between Lots Nos. 60 and 67 above mentioned.

Also all that part of a 14 foot alley, now vacated, lying south of and adjacent to Lots Nos. 60 and 67, above mentioned, and across a 15 foot alley, now vacated, connecting said Lots Nos. 60 and 67.

LAND NEAR WHITE RIVER PARKWAY, WEST DRIVE, AND KENTUCKY AVENUE—A part of the southwest quarter of Section 11, Township 15 North, Range 3 East, Marion County, State of Indiana, more particularly described as follows:

Beginning at a point in the east line of White River Parkway, West Drive (formerly Drover Street) 17½ feet south of the intersection of the east line of Dover Street with the south line of Ray Street; thence south with the east line of White River Parkway West Drive (formerly Drover Street) a distance of 122.12 feet to a point; thence southeastwardly on a straight line to a point in the west line of Kentucky Avenue, a distance of 199 feet and 8 inches northeast of the intersection of the east line of White River Parkway, West Drive (formerly Drover Street) and the northwest line of Kentucky Avenue; thence northeastwardly along the northwest line of Kentucky Avenue a distance of 297.03 feet to the south line of Ray Street; thence west along the south line of Ray Street, a distance of 285 feet to a point; thence southwestwardly on a straight line to the place of beginning, containing 1 Acre, more or less.

That said real estate shall be sold at public or private sale upon such notice or notices as the Board of Park Commissioners may determine.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read a first time and referred to the Committee on Parks.

By Mr. Negley:

#### GENERAL ORDINANCE No. 120, 1926.

##### TITLE

AN ORDINANCE. Transferring the sum of Twenty-five Thousand (\$25,000.00) from Fund No. 22, "Heat, Light, Power and Water, Administration Unit, Board of Works Department"; creating a fund to be known as Fund No. 26, "Services, Other Contractual, Department of Finance"; and reappropriating the said sum thereto; designating the specific purpose for which said Fund is to be expended, the manner of its control, the disposition of the data obtained from the expenditure of the said Fund, providing for invalidity, and specifying a time when this ordinance shall take effect.

## PREAMBLE

WHEREAS, there has been filed with the Public Service Commission of the State of Indiana, a petition requesting the said Commission to grant authority to merge two public utility companies operating in the City of Indianapolis, namely the Indianapolis Light and Heat Company and the Merchants Heat and Light Company with a proposed issue of securities in excess of fifty-five million Dollars (\$55,000,000.00) and,

WHEREAS, the officials of the above mentioned utility companies have caused to be presented to the said Public Service Commission appraisal figures purporting to show the valuation of the two utility companies to be in excess of Thirty-eight million dollars (\$38,000,000.00) plus working capital and debts making a total of their assets and liabilities to be in excess of Fifty-two million dollars (\$52,000,000.00) and,

WHEREAS, the engineers employed by the said Public Service Commission have presented data purporting to show that the reproduction value of the assets and properties of the said two public utility companies is in excess of Thirty-three million dollars (\$33,000,000.00) and,

WHEREAS, the tax duplicates in the office of the County Treasurer of Marion County show that the said two public utility companies paid taxes in 1926 based on a valuation in 1925 of approximately Eighteen million dollars (\$18,000,000.00) and which valuation was given for the purpose of taxation under the laws of the State of Indiana which laws require that all property be assessed at one hundred per cent of its true-value, and

WHEREAS, this proposed merger of the said two public utility companies, if consummated as is now proposed, will adversely affect the rights and interests of the City of Indianapolis and the citizens thereof with respect to future rates for light, heat, and power, and

WHEREAS, it is essential to the interests of the City of Indianapolis and the citizens thereof that a fair, unbiased and equitable appraisal be made of the assets and properties of the said two public utility companies by expert utility appraisal engineers employed by the City of Indianapolis in conjunction with any civic organizations or citizens likewise affected by such proposed merger for the purpose of arriving at the true and actual value of such assets and properties,

*Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Twenty-five Thousand Dollars (\$25,000.00) be and the same is now hereby transferred and re-appropriated from Fund No. 22, "Heat, Light, Power and Water, Administration Unit, Board of Works Department" to Fund No. 26, "Services, Other Contractual, Department of Finance."

Section 2. That a fund to be known as Fund No. 26, "Services, Other Contractual, Department of Finance," is now hereby created.

Section 3. The above designated fund shall be expended under the supervision and control of the City Comptroller in conjunction with such other fund or funds which may be raised by any civic organizations or citizens likewise affected by said proposed merger



for the purpose of employing expert utility appraisal engineers to make a fair, unbiased and equitable valuation and appraisal of the assets and useful properties of the aforesaid two public utility companies.

Section 4. Said expert utility appraisal engineers thus employed are to be selected by a committee to be composed of seven members to be chosen by the following named person, officials and organizations, to-wit:

One member to be chosen by the Mayor of the City of Indianapolis.

One member to be chosen by the Directors, Indianapolis Engineering Society.

One member to be chosen by the Directors, Indianapolis Chamber of Commerce.

One member to be chosen by the Directors, The Central Labor Union.

One member to be chosen by the Directors, Indianapolis Federation of Community Civic Clubs.

One member to be chosen by the Directors, Indianapolis Manufacturers Association.

One member to be chosen by the Directors, Indianapolis Merchants Association.

Within five days after the taking effect of this ordinance the committee chosen by the above named officials and organizations shall meet at a place and time designated by the committee-member appointed by the Mayor of the City of Indianapolis and proceed forthwith to the selection of the expert utility appraisal engineers as provided for elsewhere in this ordinance. Such engineers when selected shall immediately proceed with their task of appraising the assets and properties of the Indianapolis Light and Heat Company and the Merchants Heat and Light Company with the object of arriving at a true valuation of the same.

Section 5. Immediately upon the completion of the appraisal of the assets and properties of the said two public utility companies, which shall be made and completed at the earliest date possible after the taking effect of this ordinance, the engineers making such appraisal shall make a full, complete and detailed report of such appraisal in triplicate, one copy of which shall be filed with the Clerk of the Common Council of the City of Indianapolis and the remaining two copies to be filed by them with the Corporation Counsel for the City of Indianapolis.

Section 6. Immediately upon the filing with the Corporation Counsel of said City by said appraisal engineers of two copies of said appraisal, said corporation counsel shall forthwith file a copy of said appraisal with the Public Service Commission of the State of Indiana together with such other data, information, and legal brief, which he may deem necessary to properly set out the objections and claims of the City of Indianapolis and the citizens thereof with respect to the proposed merger of the aforesaid two public utility companies.

Section 7. If any section of this ordinance shall be held to be invalid by a court of competent jurisdiction the same shall not



affect the validity of the remaining sections of this ordinance which shall be in full force and effect.

Section 8. This ordinance shall be in full force and effect on or after January 1, 1927.

CLAUDE E. NEGLEY.

Which was read a first time and referred to the Committee on Public Works.

By Mr. Dorsett:

#### GENERAL ORDINANCE NO. 121, 1926

AN ORDINANCE, appropriating the sum of \$15,000.00 from the general fund and from any fund of the City of Indianapolis not specially dedicated, to the Legal Department of said City for the purpose of providing funds for such legal department for the hiring of additional counsel and attorneys-at-law, engineers, accountants, for traveling expenses, depositions, law books, and for obtaining evidence in and for the contest by said city and public of a certain proposed merger, sale, purchase, consolidation, and unification of the stocks and property of the Merchants Heat and Light Company, an Indiana corporation, Indianapolis Light and Heat Company, an Indiana corporation, and Indianapolis Power and Light Company, an Indiana corporation, both before the Public Service Commission of Indiana, and in all suits and actions at law or equity, prospective or in court, and fixing a time when the same shall take effect.

THAT WHEREAS, there is now an amended petition before the Public Service Commission of Indiana requesting such commission at the request of the Merchants Heat & Light Company, Indianapolis Light and Heat Company and Indianapolis Power and Light Company, to permit the sale, and purchase by said Indianapolis Power and Light Company of the stocks and property of said other two companies and to permit the merger, consolidation and unification of the property, stocks and rights of said Indianapolis Light & Heat Company and said Merchants Heat & Light Company into said Indianapolis Power and Light Company, and for the purpose of permitting said Indianapolis Power and Light Company to issue stocks, bonds, and securities in the sum of at least \$55,000,000.00

AND WHEREAS, such amended petition as relates to the public policy of this City and State, requests relief which in the opinion of the Common Council is not lawful nor salutary to the public.

AND WHEREAS, such petitioning parties are fully equipped to present their matters before said commission and in the courts and have ample funds therefor,

AND WHEREAS, the City of Indianapolis and its public are not so prepared and have no funds by which proper contests may be made before said commission or in said courts and said Legal Department is not equipped with funds or sufficient numbers of attorneys at law to properly cope with such situation.

AND WHEREAS, an emergency exists for the present appropriation to enable said public and City to so contest and to enable

the Legal Department to properly present all matters involved in said contests, and unless said appropriation be now granted, the city and the public will suffer irreparable loss from such excessive bonding, such sale, purchase and merger,

*Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana(*

Section 1. That the sum of \$15,000.00 be, and the same is hereby appropriated from the general fund and from any fund of said city not specially dedicated, to the Legal Department of said city for the purpose of providing funds to such Legal Department for the hiring of additional counsel and attorneys at law, engineers, and accountants, and for traveling expenses, depositions, and law books, and for obtaining evidence in and for the contest by said City and public of a certain proposed merger, sale, purchase, consolidation, and unification of the stocks and property of the Merchants Heat and Light Company, Indianapolis Light and Heat Company, and Indianapolis Power and Light Company, both before the Public Service Commission of Indiana, and in all suits and actions at law or equity, prospective or in court.

Section 2. That this appropriation shall apply to any of such funds raised by said city for the fiscal years of 1926 and 1927 and the Corporation Counsel may at his discretion draw warrant for said sum or any part thereof upon the City Treasury and may make and is hereby authorized to make any contract with any person or persons relating to said sum and to the purposes of this ordinance and the said warrants, and contracts shall be forthwith binding and payable upon and by the city controller, city treasurer, and said City.

Section 3. That for the purpose of this ordinance appropriation and expenditure, there is hereby created, Public Utility Fund, No. 26, in said Legal Department.

Section 4. This Ordinance shall be in full force and effect from and after its passage.

WALTER R. DORSETT.

#### GENERAL ORDINANCE No. 122, 1926.

AN ORDINANCE, amending Section 653 of General Ordinance No. 121, 1925, "An Ordinance concerning the government of the City of Indianapolis providing penalties for its violation and with stated exceptions, repealing all former Ordinances," and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That Section 653 of General Ordinance No. 121, 1925 of the City of Indianapolis, be and the same is hereby amended to read as follows:

"Section 653, The Chicago, Indianapolis and Louisville Railway Company shall provide and maintain crossing flagman or shall install, maintain and operate safety gates at the intersection of said company's railroad tracks and 49th street; at the intersection of the company's tracks and 63rd street; at the intersection of the company's tracks and Riveria Drive; at the interesection of

the company's tracks and 64th Street; continuously between the hours of seven A. M. and nine P. M. each and every day."

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Safety.

By Mr. Dorsett:

#### RESOLUTION NO. 15, 1926

WHEREAS, it has come to the notice of the Common Council of the City of Indianapolis that the Fairbanks-Morse Company, a large manufacturing concern of this city, is having difficulty in quieting title to a small strip of ground formerly owned by Marion County, and,

WHEREAS, it is essential to the continued operation of the aforesaid Fairbanks-Morse Company to possess this strip of ground to be used for switching purposes, and,

WHEREAS, there has been considerable delay and hesitancy on the part of the Board of County Commissioners of Marion County in causing an equitable settlement of this controversy to be made, and,

WHEREAS, such delay and hesitancy on the part of said Board is causing irreparable loss and injury to the Fairbanks-Morse Company,

*Now Therefore, Be It Resolved by the Common Council of the City of Indianapolis, Indiana:*

That we petition the said Board of County Commissioners to bring about an immediate and equitable settlement of this matter with the object of preventing the removal of this industry from our City, and

BE IT FURTHER RESOLVED, that in case the Board of County Commissioners fail to reach a mutually satisfactory settlement of this matter within a reasonable length of time that the Corporation Counsel of the City of Indianapolis proceed, and he is hereby authorized and directed to proceed with plans whereby the City of Indianapolis will purchase from said County the aforesaid strip of ground and present or sell same to the aforesaid Fairbanks-Morse Company.

OTIS E. BARTHOLOMEW.

Which was read a first time and referred to the Committee on Law and Judiciary.

Mr. Albertson presented the following written motion:

Indianapolis, Ind., December 20, 1926.

*Mr. President:*

I move a committee of three members be appointed to investigate and see if thtre cannot be a relief found so we may retain

more appointments of Policewomen to be used where they will be more efficient than men. As the new budget comes in, it seems as if there is going to work a hardship.

O. RAY ALBERTSON.

Mr. Negley seconded the above motion, which was unanimously adopted, and President Moore appointed the following Committee in compliance with the above motion: Messrs. Dorsett, Albertson and Todd.

#### CALL FOR ORDINANCES ON SECOND READING

Mr. Bartholomew called for General Ordinance No. 58 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 58 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 58 was read a third time and passed by unanimous vote.

Mr. Albertson called for General Ordinance No. 111 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Negley, General Ordinance No. 111 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 111 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 102 for second reading. It was read a second time.

On motion of Mr. Raub, seconded by Mr. Bartholomew, General Ordinance No. 102 was stricken from the files.

Mr. Albertson called for General Ordinance No. 117 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Dr. Todd, General Ordinance No. 117 was ordered engrossed, read a third time and placed upon its passage.



General Ordinance No. 117 was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 74 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 74 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 74 was read a third time and passed by unanimous vote.

Mr. Albertson called for Special Ordinance No. 6 for second reading. It was read a second time.

On motion of Mr. Albertson, seconded by Mr. Negley, Special Ordinance No. 6 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 6 was read a third time and passed by unanimous vote.

Mr. Dorsett called for Resolution No. 14 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, Resolution No. 14 was adopted unanimously.

Mr. Dorsett called for Special Ordinance No. 7 for second reading. It was read a second time.

Mr. Albertson moved that Special Ordinance No. 7 be amended by striking out the word "private."

Mr. Raub seconded the above motion which passed unanimously.

On motion of Mr. Albertson, seconded by Mr. Negley, General Ordinance No. 7, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 7, as amended, was read a third time and passed by unanimous vote.

Mr. Raub called for General Ordinance No. 101 for second reading.

Mr. Bartholomew, Chairman of the Committee considering General Ordinance No. 101, asked for more time on General Ordinances Nos. 101 and 104. Which was seconded by Mr. Dorsett.

Mr. Raub moved that the present Committee having General Ordinance No. 101 and General Ordinance No. 104 be discharged and a new Committee be appointed.

The above motion was seconded by Mr. Bartholomew which passed by the following vote.

Ayes, 7, viz.: Messrs. Albertson, Bartholomew, Dorsett, Raub, Springsteen, Todd and President Moore.

Noes, viz.: Messrs. Ferguson and Negley.

President Moore referred General Ordinances Nos. 101 and 104 to the Committee on Public Works.

Dr. Todd called for General Ordinance No. 118 for second reading. It was read a second time.

Mr. Springsteen presented the following written amendment to General Ordinance No. 118:

Indianapolis, Ind., December 20, 1926.

*Mr. President:*

I move that General Ordinance No. 118, 1926, be amended by changing the words "North curb line of New York Street on the North," to read, "South side of Ohio Street on the North" in paragraph (a) of Section 7.

On motion of Mr. Albertson, seconded by Mr. Raub, the Council recessed at 8:50 o'clock p. m., by the following vote:

Ayes, 6, viz.: Messrs. Albertson, Bartholomew, Ferguson, Negley, Raub, Springsteen.

Noes, 3, viz.: Messrs. Dorsett, Todd and President Moore.

After the vote was taken President Moore changed his vote from no to aye.

At 9:05 the Council reconvened, the same members being present as before.

Mr. Raub seconded Mr. Springsteen's amendment which passed by the following vote:

Ayes, 5, viz.: Messrs. Albertson, Ferguson, Negley, Raub and Springsteen.

Noes, 4, viz.: Messrs. Bartholomew, Dorsett, Todd and President Moore.

Mr. Springsteen presented another written amendment to General Ordinance No. 118, 1926, to wit:

Indianapolis, Ind., December 20, 1926.

*Mr. President:*

I move that General Ordinance No. 118 1926, be amended by striking out Paragraph (B) of Section 4, and inserting in lieu thereof the following:

(B) Parking at An Angle. All parking shall be at an angle of forty-five degrees to the curb on the following designated streets. At the outer curb of Monument Circle; both sides of West Washington Street from Senate Avenue to White River; both sides of East Washington Street from Alabama to Southeastern Avenue; both sides of Ohio Street from Pennsylvania Street to East Street; the both sides of Kentucky Avenue from Washington Street to Georgia Street; both sides of Indiana Avenue from Illinois Street to Senate Avenue; both sides of Virginia Avenue from Washington Street to Maryland Street; both sides of East Market Street from Delaware Street to East Street.

Mr. Raub seconded the above motion which failed to pass by the following vote:

Ayes, 4, viz.: Messrs. Albertson, Ferguson, Springsteen and Raub.

Noes, 5, viz.: Messrs. Bartholomew, Dorsett, Negley, Todd and President Moore.

Mr. Albertson presented the following written amendment to General Ordinance No. 118, 1926:

Indianapolis, Ind., December 20, 1926.

*Mr. President:*

I move that General Ordinance No. 118 1926, be amended by striking out second paragraph of section 9.

Mr. Negley seconded the above motion which failed to pass by the following vote:

Ayes, 2, viz.: Messrs. Albertson and Negley.

Noes, 7, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Raub, Springsteen, Todd and President Moore.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 118, 1926, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 118, as amended, was read a third time and passed by unanimous vote.

Mr. Bartholomew called for General Ordinance No. 97 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 97 was ordered Ingrossed, read a third time and placed upon its passage.

General Ordinance No. 97 was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Negley, Todd and President Moore.

Noes, 3, viz.: Messrs. Albertson, Raub and Springsteen.

Mr. Albertson moved to adjourn, seconded by Mr. Raub, which failed to pass by the following vote:

Ayes, 4, viz.: Messrs. Albertson, Negley, Raub and Springsteen.

Noes, 5, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Todd and President Moore.

Mr. Dorsett moved that a special meeting be called to consider General Ordinance No. 121, 1926. No second.

Mr. Raub moved that the Council, when adjourned, meet one week hence to consider General Ordinances Nos. 120 and 121.

Mr. Albertson seconded the above motion which passed by the following vote:



Ayes, 7, viz.: Messrs. Albertson, Ferguson, Negley, Raub, Springsteen, Todd and President Moore.

Noes, 2, viz.: Messrs. Bartholomew and Dorsett.

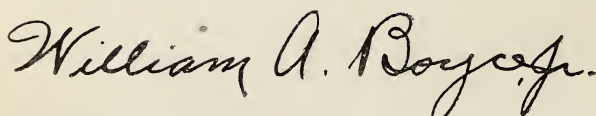
On motion of Mr. Albertson, seconded by Mr. Raub, the Common Council adjourned at 9:30 o'clock p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, Indiana, held on the 20th day of December, 1926.

IN WITNESS whereof we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

  
President.

Attest:

  
City Clerk.

(SEAL)





## SPECIAL MEETING

Monday, December 27, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, December 27, 1926, at 7:30 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

December 24, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—You are hereby notified that there will be a SPECIAL MEETING of the COMMON COUNCIL held in the Council Chamber on Monday, December 27, 1926 at 7:30 p. m., pursuant to motion adopted by 7 to 2 vote at regular meeting held December 20, 1926, the purpose of such SPECIAL MEETING being to consider on second reading and passage General Ordinances Nos. 120 and 121, and in addition thereto on order of the President to consider introduction and consideration of two transfer ordinances - one proposing to transfer certain funds within the City Plan Department and the other proposing to transfer certain funds within the Municipal Garage Department under the Department of Public Works.

Respectfully,

BOYNTON J. MOORE

President, Common Council.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of such SPECIAL MEETING, pursuant to the rules.

WILLIAM A. BOYCE, Jr.

(SEAL)

City Clerk.

In Witness Whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and eight members, viz.: Claude E. Negley, Edward B. Raub, O. Ray Albertson, Robert E. Springsteen, Walter R. Dorsett, Millard W. Ferguson, Otis E. Bartholomew and Austin H. Todd.



The reading of the journal was dispensed with on motion of Mr. Dorsett, seconded by Mr. Bartholomew.

On motion of Dr. Todd, seconded by Mr. Dorsett, the Common Council recessed at 8:25 o'clock.

The Council reconvened at 8:45 o'clock with the same members present as before.

#### REPORTS FROM CITY OFFICERS

December 27, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—One of your body has asked the legal advice of this department as to general Ordinance No. 120, 1926, and the other Ordinance proposed to supply the Legal Department with additional help, by reason of the merger suggested for the two electric Light Companies.

Although there are not a sufficient number of decided cases to enable one to point blank advise as to the legality of these ordinances, yet it is my opinion that both of them are proper and legal.

It is unbelievable that when an emergency arises, the City and public may be left helpless. Otherwise government could not function. I would suggest that you follow Burns 1926, Sections 10306 and 10311 (14th). These sections seem to require the written approval of the City Controller obtained and filed in the Controller's office and a two-thirds vote of the council. These factors to my mind should be easily supplied, as I believe all of your body desire the public to be fully represented and the same, of course may be said in behalf of the Controller.

The City, as a rule has a deficiency at the end of the year anyhow, and a deficiency at the end of the year 1927 caused by these appropriations would not be novel or strange but would be sustained at great value to the public. In emergency public officers are expected to take some change and they are never punished for so doing. I recommend the passage of both of these ordinances. I am

Very respectfully yours,  
ALVAH V. RUCKER,  
Corporation Counsel.

December 27, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—Attached herewith please find copies of a general ordinance transferring the sum of Six Hundred Seventy-five (\$675.00) Dollars from Municipal Garage Funds, No. 21, 25, 33, 45, 52 and 72, under the Board of Public Works and reappropriating the same to Municipal Garage Fund No. 22, under the Board of Public Works.

I respectfully recommend the passage of this ordinance.

Yours,  
W. C. BUSER,  
City Controller.

December 27, 1926

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—Attached herewith please find copies of a general ordinance transferring the sum of Two Hundred Fifty (\$250.00) Dollars from Fund No. 13, "Other Compensations" and reappropriating the same to Fund No. 36, Office Supplies, both under the City Plan Commission.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,  
City Controller.

#### REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., December 27, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind:*

Gentlemen—We, your Committee on Board of Works to whom was referred General Ordinance No. 120, 1926, entitled Transferring \$25,000 from Fund No. 22, Administration unit Board of Works Department to Fund No. 26, Department of Finance beg leave to report that we have had said ordinance under consideration, and recommend that we ask for more time.

WALTER R. DORSETT, Chairman.  
O. E. BARTHOLOMEW.  
A. H. TODD.

Indianapolis, Ind., December 27, 1926.

*To Mr. William C. Buser, City Controller, City of Indianapolis:  
of Indianapolis:—*

DEAR SIR—In answer to your letter of December 20th, which was attached to General Ordinance No. 121, pertaining to \$15,000.00 appropriation for employing engineers, attorneys and etc., for fighting the merger of certain utilities, we find that in Section 10306, of Burns Indiana Statutes of 1926, pages 365 and 366, that after the Budget is passed and your tax levy and appropriations set out for the ensuing year that should an emergency arise additional appropriations can be made upon the recommendation of the City Controller and by a two-thirds vote of the Council.

As we feel as though this is a very important matter in which the City is very much interested we wish to advise you that we also are in accord with you in finding some way or means in which we can obtain money to meet this additional appropriation.

If you as City Controller will recommend the passing of a bond issue necessary to meet an appropriation necessary to fight this merger, we, your finance committee, will give same our favorable consideration.

Yours respectfully,

O. RAY ALBERTSON.  
WALTER R. DORSETT.  
O. E. BARTHOLOMEW.  
A. H. TODD.

## INTRODUCTION OF GENERAL ORDINANCES

By the City Comptroller:

## GENERAL ORDINANCE NO. 123, 1926

AN ORDINANCE, transferring the sum of Six Hundred Seventy-five (\$675.00) Dollars, which amount is now appropriated to the Municipal Garage Fund in the following amounts:

Municipal Garage Fund No. 21	\$ 25.00
Municipal Garage Fund No. 25	75.00
Municipal Garage Fund No. 33	325.00
Municipal Garage Fund No. 45	150.00
Municipal Garage Fund No. 52	25.00
Municipal Garage Fund No. 72	75.00

in the department of Public Works and reappropriating the same to Municipal Garage Fund Item No. 22, in the Department of Public Works of the City of Indianapolis, Indiana, and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of Six Hundred Seventy-five (\$675.00) Dollars, which amount is now appropriated to the Municipal Garage Fund in the following amounts:

Municipal Garage Fund No. 21	\$ 25.00
Municipal Garage Fund No. 25	75.00
Municipal Garage Fund No. 33	325.00
Municipal Garage Fund No. 45	150.00
Municipal Garage Fund No. 52	25.00
Municipal Garage Fund No. 72	75.00

be and the same is hereby transferred from the Municipal Garage Fund Items 21, 25, 33, 45, 52 and 72 in the Department of Public Works and the same be and is hereby transferred and reappropriated to the Municipal Garage Fund Item 22, in the Department of Public Works.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Comptroller:

## GENERAL ORDINANCE NO. 124, 1926

AN ORDINANCE, Transferring and reappropriating certain funds under the Department of City Plan Commission, and declaring a time when same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That there be and is hereby transferred from Fund No. 13, OTHER COMPENSATION, the sum of Two Hundred and Fifty (\$250.00) Dollars and that the same be and is hereby re-

appropriated to Fund No. 36 OFFICE SUPPLIES, both under the Department of City Plan Commission.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

#### INTRODUCTION OF MISCELLANEOUS BUSINESS

Mr. Raub presented the following written motion:

Indianapolis, Ind., December 27, 1926.

*Mr. President:*

I move that the Public Works Committee to which General Ordinance No. 120, 1926 was referred be discharged and that this Council proceed to consider said Ordinance without the advice or report of said Committee.

The above motion was seconded by Mr. Springsteen, which failed to pass by the following vote:

Ayes, 3, viz.: Messrs. Negley, Raub and Springsteen.

Noes, 6, viz.: Messrs. Albertson, Bartholomew, Dorsett, Ferguson, Todd and President Moore.

Mr. Albertson presented the following written motion, which was seconded by Dr. Todd:

Indianapolis, Ind., December 27, 1926.

*Mr. President:*

I move that the Common Council request the City Comptroller to recommend the introduction and passage of an Ordinance authorizing a bond issue to be used in fighting the proposed utility merger.

The above motion passed by the following vote:

Ayes, 5, viz.: Messrs. Albertson, Bartholomew, Dorsett, Todd and President Moore.

Noes, 4, viz.: Messrs. Ferguson, Negley, Raub and Springsteen.

Mr. Raub presented the following written motion, which was seconded by Mr. Albertson:

Indianapolis, Ind., December 27, 1926.

*Mr. President:*

I move that the Finance Committee to which General Ordin-



ance No. 121, 1926, was referred be discharged and that this Council proceed to consider said Ordinance without the advice or report of said Committee.

The above motion failed to pass by the following vote:

Ayes, 4, viz.: Messrs. Albertson, Negley, Raub and Springsteen.

Noes, 5, viz.: Messrs. Bartholomew, Dorsett, Ferguson, Todd and President Moore.

On motion of Mr. Albertson, seconded by Mr. Raub, the Common Council of the City of Indianapolis, Indiana, adjourned at 9:07 o'clock p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, Indiana, held on the 27th day of December, 1926.

IN WITNESS WHEREOF, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

*Boydton J. Moore*

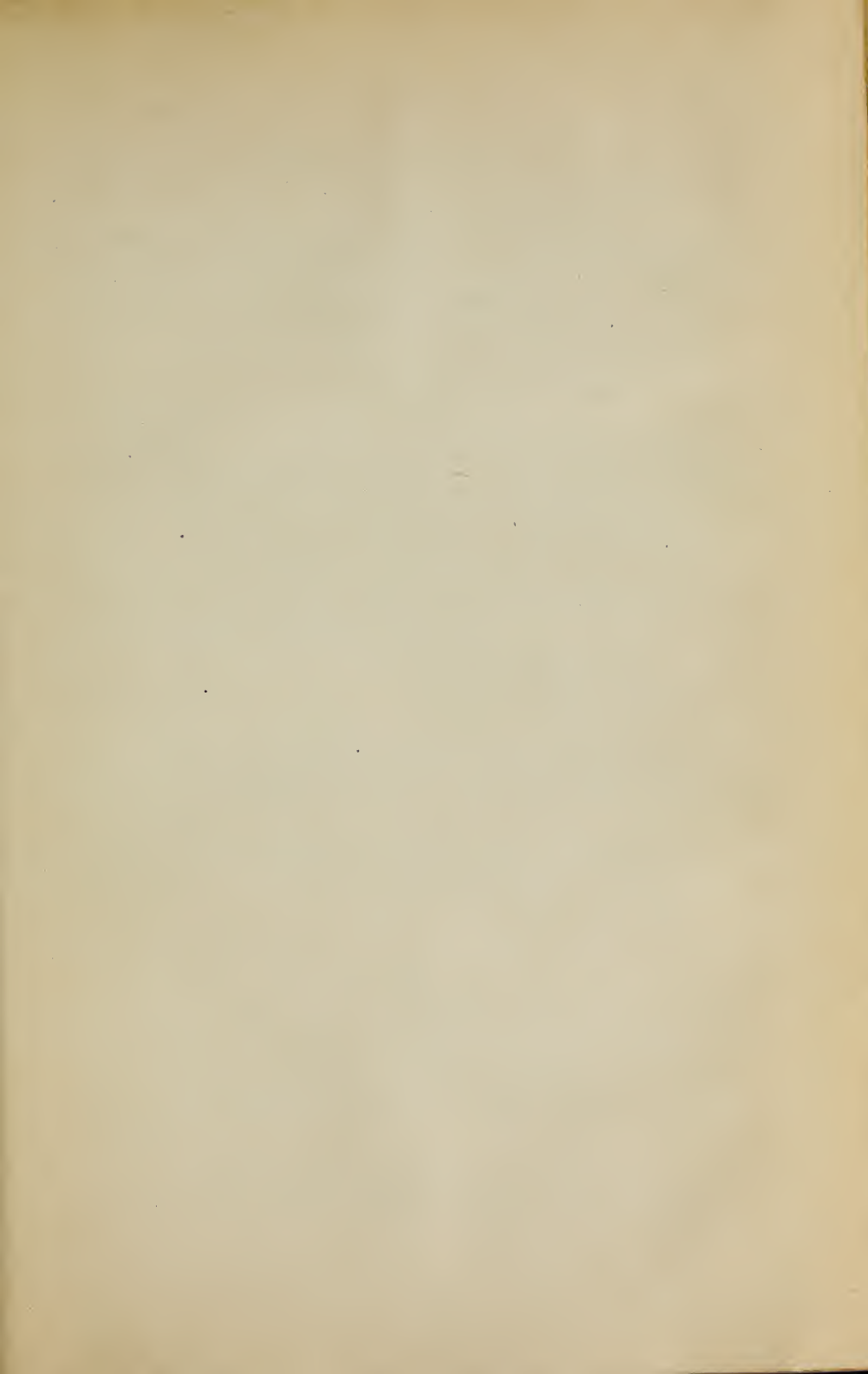
President.

Attest:

*William A. Boyce*

City Clerk.

(SEAL)





## SPECIAL MEETING.

Thursday, December 30, 1926.

The Common Council of the City of Indianapolis met in the Council Chamber Thursday, December 30, 1926, at 7:30 p. m., in special session, President Boynton J. Moore in the chair, pursuant to the following call:

December 29, 1926.

*To the Members of the Common Council, Indianapolis, Ind.:*

Gentlemen—You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Thursday, December 30, 1926, at 7.30 p. m., the purpose of such special meeting being to consider all ordinances pending before the Council, being Special Ordinance No. 5, General Ordinances Nos. 32, 85, 101, 103, 104, 106, 107, 119, 120, 121, 122, 123 and 124 and Resolutions Nos. 13 and 15, and for the introduction and consideration of a transfer ordinance transferring the sum of \$7,665 from account No. 11, Police Dept., Board of Public Safety, "Patrolmen, Second Grade," to account "Second Year Women Patrolmen" in the same account number and department.

Respectfully,

BOYNTON J. MOORE,

President, Common Council.

I, William A. Boyce, Jr., Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of such special meeting, pursuant to the rules.

In witness whereof I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

(SEAL)

WILLIAM A. BOYCE, JR.,  
City Clerk.

Which was read.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and eight members, viz.: Claude E. Negley, Edward B. Raub, O. Ray Albertson, Robert E. Springsteen, Walter R. Dorsett, Millard W. Ferguson, Otis E. Bartholomew and Austin H. Todd.

The reading of the journal was dispensed with on motion of Mr. Dorsett, seconded by Mr. Bartholomew.



## REPORTS FROM CITY OFFICERS

December 30, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—On your notice of the special meeting this evening it was specified that an ordinance for transferring a certain sum of money in the Police Department for the purpose of changing the number of police women from five to nine and the number of second-year patrolmen from two hundred and fifty to two hundred and forty-six.

However, the City today received a temporary restraining order preventing the City from suspending or discharging any of the fifteen police women that was necessary to be removed so as to be within the budget for 1927. Therefore, any action that the Council would take regarding an ordinance to take care of any of these police women would be invalid, in my opinion, and I therefore will withhold presenting you with such an ordinance at this meeting.

Yours,

W. C. BUSER,

City Controller.

December 30, 1926.

*To the Honorable President and Members of the Common Council of the City of Indianapolis, Ind.:*

Gentlemen—Attached you will please find copies of an ordinance transferring the sum of One Hundred (\$100.00) Dollars from Administration Account No. 24 and reappropriating the same to Administration Account No. 21; Three Thousand Eight Hundred (\$3,800.00) Dollars from Administration Account No. 26 to Public Buildings Account No. 22; One Hundred (\$100.00) Dollars from Public Buildings Account No. 38 to Public Buildings Account No. 26; One Thousand Two Hundred (\$1,200.00) Dollars from Civil Engineers Account No. 21 to Municipal Garage Account No. 22; Two Hundred Fifty (\$250.00) Dollars from Street Commissioners Account No. 21 to Street Commissioners Account No. 11, all in the Department of Public Works.

I would kindly ask that General Ordinance No. 123, given to you at the last meeting of the Common Council, be amended as per the attached ordinance.

As this is the last of the year and we are straightening up all the accounts that we possibly can, I would kindly ask that your honorable body give this amendment and all other transfer ordinances that you now have your special attention, and if possible pass same at your special meeting tonight so that we can make the transfers on our books on December 31.

I respectfully recommend the passage of this attached amendment to General Ordinance No. 123.

Yours,

W. C. BUSER,

City Controller.

Indianapolis, Ind., December 30, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 32, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that we be given more time.

O. RAY ALBERTSON, Chairman  
A. H. TODD  
O. E. BARTHOLOMEW  
WALTER R. DORSETT  
C. E. NEGLEY

Indianapolis, Ind., December 30, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred Ordinance No. 85, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that we be given more time.

O. RAY ALBERTSON, Chairman  
WALTER R. DORSETT  
O. E. BARTHOLOMEW  
A. H. TODD

Indianapolis, Ind., December 30, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Your Committee on Public Works, to whom was referred General Ordinance No. 101, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that more time be given committee.

WALTER R. DORSETT, Chairman  
O. E. BARTHOLOMEW  
A. H. TODD  
O. RAY ALBERTSON

Indianapolis, Ind., December 30, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—Your Committee on Public Works, to whom was referred General Ordinance No. 104, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that more time be given committee.

WALTER R. DORSETT, Chairman  
A. H. TODD  
O. E. BARTHOLOMEW  
O. RAY ALBERTSON

Indianapolis, Ind., December 18, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Law and Judiciary, to whom was referred General Ordinance No. 107, 1926, entitled Building Com. Amend General Ordinance No. 46, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

A. H. TODD, Chairman  
O. E. BARTHOLOMEW  
C. E. NEGLEY  
E. B. RAUB  
R. E. SPRINGSTEEN

Indianapolis, Ind., December 30, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Works, to whom was referred General Ordinance No. 120, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that more time be given committee.

WALTER R. DORSETT, Chairman  
A. H. TODD  
O. E. BARTHOLOMEW  
O. RAY ALBERTSON

Indianapolis, Ind., December 30, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 121, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman  
O. E. BARTHOLOMEW  
WALTER R. DORSETT  
A. H. TODD  
C. E. NEGLEY

Indianapolis, Ind., December 30, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 123, 1926, entitled Transfer in Municipal Garage Funds, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed after being amended.

O. RAY ALBERTSON, Chairman  
A. H. TODD  
C. E. NEGLEY  
O. E. BARTHOLOMEW  
WALTER R. DORSETT

Indianapolis, Ind., December 30, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Finance, to whom was referred General Ordinance No. 124, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

O. RAY ALBERTSON, Chairman  
WALTER R. DORSETT  
O. E. BARTHOLOMEW  
A. H. TODD  
C. E. NEGLEY

Indianapolis, Ind., December 18, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Law and Judiciary, to whom was referred Resolution No. 15, 1926, entitled Switch of Fairbanks Morse Ground, beg leave to report that we have had said ordinance under consideration, and recommend that the same be adopted.

A. H. TODD, Chairman  
O. E. BARTHOLOMEW  
C. E. NEGLEY  
E. B. RAUB  
R. E. SPRINGSTEEN

Indianapolis, Ind., December 30, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Committee on Public Safety, to whom was referred General Ordinance No. 122, 1926, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

C. E. NEGLEY, Chairman  
A. H. TODD  
O. E. BARTHOLOMEW  
WALTER R. DORSETT  
M. W. FERGUSON

#### CALL FOR ORDINANCES ON SECOND READING

Mr. Albertson called for General Ordinance No. 107 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Dorsett, General Ordinance No. 107 was ordered engrossed, read a third time and placed upon its passage.



General Ordinance No. 107 was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Negley, Raub, Albertson, Springsteen, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

Mr. Raub presented the following written motion:

I move that committee to which General Ordinance No. 120 was referred to be discharged and the Council take up immediate consideration of same.

EDWARD B. RAUB.

The above motion was seconded by Mr. Negley and failed to pass by the following vote:

Ayes, 3, viz.: Messrs. Negley, Raub and Springsteen.

Noes, 6, viz.: Messrs. Albertson, Bartholomew, Dorsett, Ferguson, Todd and President Moore.

Mr. Albertson called for General Ordinance No. 121 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Mr. Dorsett, General Ordinance No. 121 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 121 was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Albertson, Bartholomew, Dorsett, Ferguson, Todd and President Moore.

Noes, viz.: Messrs. Negley, Raub and Springsteen.

Dr. Todd called for Resolution No. 15 for second reading. It was read a second time.

Dr. Todd moved that Resolution 15 be adopted by the Council. Mr. Dorsett seconded the above motion.

At this time Mr. Schuyler Haas, County Attorney, who was present, addressed the Council in regard to the above Resolution after which Dr. Todd, with the consent of the second and the Council withdrew his motion for the adoption of Resolution of No. 15.

On motion of Dr. Todd, seconded by Mr. Bartholomew, Resolution No. 15 was stricken from the files, by the following vote:

Ayes, 9, viz.: Messrs. Negley, Raub, Albertson, Springsteen, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

On motion of Mr. Dorsett, seconded by Mr. Albertson, the Common Council recessed at 8:40 o'clock p. m.

The Council reconvened at 9:00 o'clock p. m., with the same members present as before.

Mr. Albertson presented the following committee report:

Indianapolis, Ind., December 29, 1926.

*To the President and Members of the Common Council of the City of Indianapolis, Indiana:*

Gentlemen—We, your Select Committee, to which was referred motion by Mr. Albertson, recommends that there be no addition of new appointees to the Police Department by the Board of Public Safety until the women that are about to be let out on December 31 are retained, because they have served a number of years and no charges preferred.

WALTER R. DORSETT, Chairman

A. H. TODD

O. RAY ALBERTSON

Mr. Albertson moved that the rules be suspended to receive the above committee report.

Mr. Raub seconded the above motion which passed by the following vote:

Ayes, 9, viz.: Messrs. Negley, Raub, Albertson, Springsteen, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, the Council adopted the above committee report by the following vote:

Ayes, 9, viz.: Messrs. Negley, Raub, Albertson.

Springsteen, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

Mr. Albertson called for General Ordinance No. 123 for second reading. It was read a second time.

Mr. Albertson presented the following written motion to amend General Ordinance No. 123:

Indianapolis, Ind., December 30, 1926.

*Mr. President:*

I move that General Ordinance No. 123, 1926, be amended to read as follows:

O. RAY ALBERTSON.

#### GENERAL ORDINANCE NO. 123, 1926

##### AMENDED

AN ORDINANCE transferring the sum of One Hundred (\$100) Dollars from the Administration Account No. 24 in the Department of Public Works and reappropriating the same to Administration Account No. 21 in the Department of Public Works; transferring Three Thousand Eight Hundred (\$3,800) Dollars from Administration Account No. 26 in the Department of Public Works and reappropriating the same to Account No. 22 in the Department of Public Buildings; transferring One Hundred (\$100) Dollars from Public Buildings Account No. 38 in the Department of Public Works and reappropriating the same to Public Buildings Account No. 26 in the Department of Public Works; transferring One Thousand Two Hundred (\$1,200) Dollars from City Civil Engineer Account No. 21 in the Department of Public Works and reappropriating the same to Municipal Garage Fund No. 22 in the Department of Public Works; transferring the sum of Two Hundred Fifty (\$250) Dollars from Street Commissioner's Account No. 21 in the Department of Public Works and reappropriating the same to Street Commissioner's Account No. 11 Office Administration in the Department of Public Works of the City of Indianapolis, Indiana, and declaring a time when the same shall take effect.

*Be it Ordained by the Common Council of the City of Indianapolis, Indiana:*

Section 1. That the sum of One Hundred (\$100) Dollars be and the same is hereby transferred from the Administration Account No. 24 in the Department of Public Works and reappropriating the same to Administration Account No. 21 in the Department of Public Works; that the sum of Three Thousand Eight Hundred (\$3,800) Dollars be and the same is hereby transferred from the Administration Account No. 26 in the Department of Public Works and reappropriating the same to Account No. 22 in the Department

of Public Buildings; that the sum of One Hundred (\$100) Dollars be and the same is hereby transferred from the Public Building Account No. 38 in the Department of Public Works and reappropriating the same to Account No. 26 in the Department of Public Buildings; that the sum of One Thousand Two Hundred (\$1,200) Dollars be and the same is hereby transferred from the City Civil Engineer Account No. 21 in the Department of Public Works and reappropriating the same to Municipal Garage Fund No. 22 in the Department of Public Works; that the sum of Two Hundred Fifty (\$250) Dollars be and the same is hereby transferred from Street Commissioner's Account No. 21 in the Department of Public Works and reappropriating the same to Street Commissioner's Account No. 11, Office Administration in the Department of Public Works of the City of Indianapolis, Indiana.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Mr. Raub seconded the above motion which passed by the following vote:

Ayes, 9, viz.: Messrs. Negley, Raub, Albertson, Springsteen, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, General Ordinance No. 123, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 123, as amended, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Negley, Raub, Albertson, Springsteen, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

Mr. Albertson called for General Ordinance No. 124 for second reading. It was read a second time.

On motion of Mr. Bartholomew, seconded by Dr. Todd, General Ordinance No. 124 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 124 was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Negley, Raub, Albertson,



Springsteen, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

Mr. Albertson called for General Ordinance No. 122 for second reading. It was read a second time.

On motion of Dr. Todd, seconded by Mr. Bartholomew, General Ordinance No. 122 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 122 was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Negley, Raub, Albertson, Springsteen, Dorsett, Ferguson, Bartholomew, Todd and President Moore.

On motion of Mr. Bartholomew, seconded by Dr. Todd, the Common Council of the City of Indianapolis adjourned at 9:06 o'clock p. m.

\* \* \* \*

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, Indiana, held on the 30th day of December, 1926, at 7:30 p. m.

IN WITNESS whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

*Raynton J. Moore*

President.

Attest:

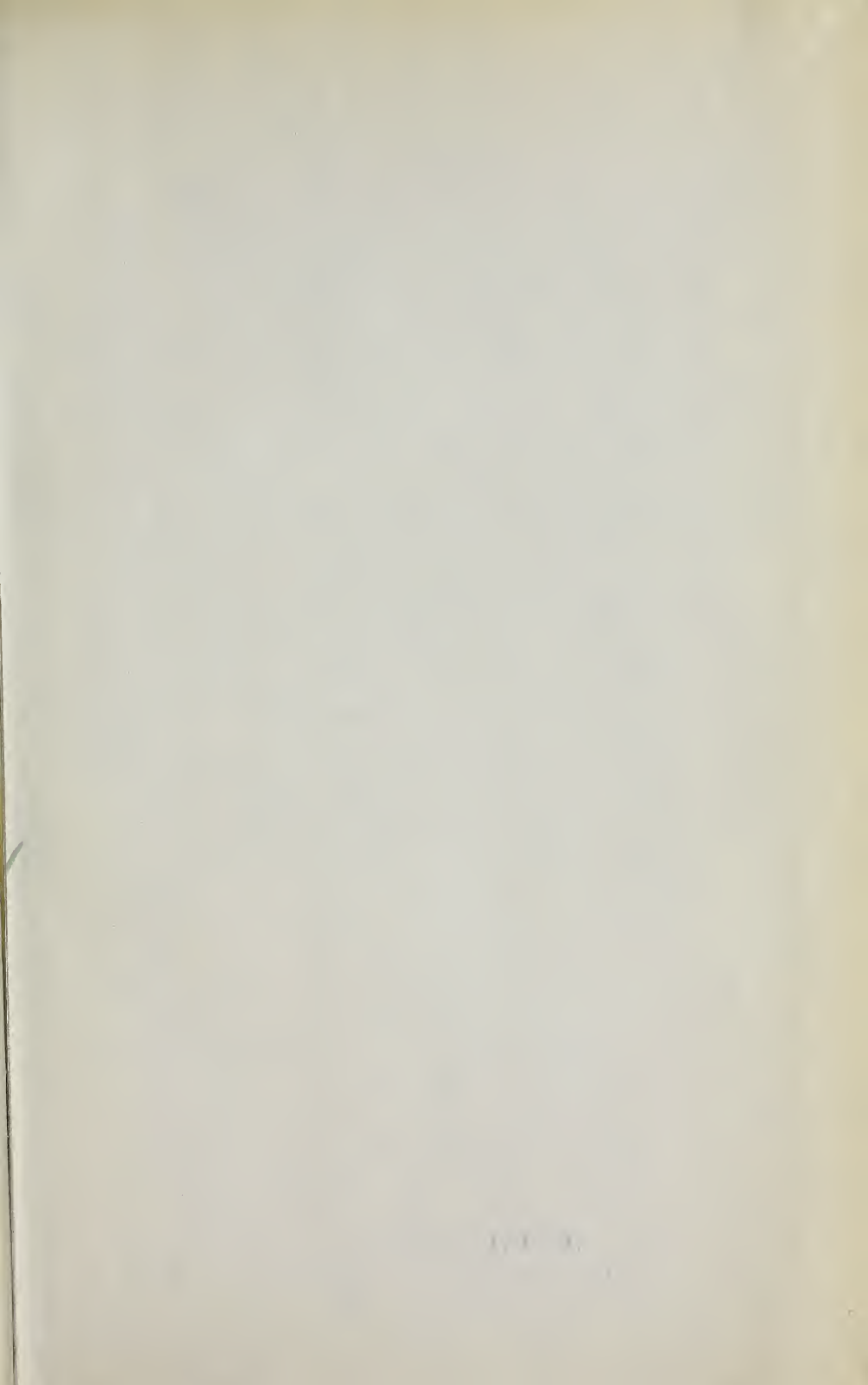
*William A. Boyce*

City Clerk.

(SEAL)









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